

CONFIDENTIAL.

(6460.)

F.O.

403

PART 5.
—

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF TUNIS.

189

1893.

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CONFIDENTIAL.

Further Correspondence respecting the Affairs of Tunis.

PART 5.No. 1.

Sir Clare Ford to the Earl of Rosebery.—(Received January 7, 1893.)

(No. 392.)

My Lord,

Constantinople, December 31, 1892.

I HAVE the honour to transmit herewith copy of a despatch from Consul-General Moore respecting the steps lately taken by Turkey for the delimitation of the Tripoli-Tunis frontier.

Your Lordship will observe that, in Mr. Moore's opinion, the settlement of this question will prove of advantage to French interests.

I have, &c.

(Signed)

FRANCIS CLARE FORD.

Inclosure in No. 1.

Consul-General Moore to Sir Clare Ford.

Sir,

Tripoli, December 19, 1892.

THIS morning my Italian colleague called upon me, and told me, confidentially, that at an interview he had yesterday with the Governor-General, Ahmed Rassim Pasha made an important communication to him. It was to the effect that in consequence of orders received from Constantinople he, the Pasha, had addressed a letter to the Bey of Tunis, inviting him to a definitive settlement of the disputed boundary between the Province of Tripoli and Tunisia by means of a Special Joint Commission, to be composed of Ottoman and Tunisian Commissioners. Ahmed Rassim Pasha added that the Ottoman Delegates are to be selected by himself from among the Officers of the Staff of the Tripoli Army Division. Probably, in consequence of the recent death of the French Resident-General in Tunis, no answer had yet been received.

It is somewhat remarkable that the Vali should have volunteered such a communication to the Italian Agent; the explanation, probably, is the hope that something may be done to hinder the accomplishment of the project, of which the Pasha did not seem to approve.

M. Grande is impressed with the importance of this intelligence, and thinks the action of the Porte implies a recognition by Turkey of the French Protectorate of Tunis, the Bey not being now a free agent, and that the projected rectification is intended to have a bearing on the eventual determination of the Hinterland of Algeria claimed, or to be claimed, by the French.

It can hardly be doubted that the real Commissioners on the Tunisian side will be the French officers, who, it may be taken for granted, will be attached to the native Delegates, and that the delimitation will be to the advantage of France.

I have, &c.

(Signed)

NOEL TEMPLE MOORE.

The Marquis of Dufferin to the Earl of Rosebery.—(Received January 24.)

(No. 40.)

My Lord,

Paris, January 22, 1893.

I HAVE the honour to transmit herewith to your Lordship a report from Mr. Phipps on the proceedings in the Chambers relating to the present situation in Tunis.

I have, &c.
(Signed) DUFFERIN AND AVA.

Inclosure in No. 2.

Mr. Phipps to the Marquis of Dufferin.

My Lord,

Paris, January 22, 1893.

DURING the discussion of the Foreign Office budget a violent attack was made by M. Hubbard against the French policy in Tunis, which he declared consisted in merely paying the arrears and interest of the Tunisian Debt and in placing French subjects on the same footing as those of other countries.

What he termed a "Beylical" policy had crept in—even the coinage bore the effigy of the Bey and the stamps were Tunisian. The flag was tricolor but bore the Tunisian emblems; all Concessions and public works were granted to foreigners to such an extent that M. Leroy Beaulieu had declared "La Tunisie est une sorte de Communal Européen." The liberties accorded in France were not extended to Tunis; in twelve years only 9 kilom. of railways had been made; he desired the policy of the Residency to be directed in a sense more firmly and energetically French.

M. Ribot defended the policy of the late M. Marmicault and declared that the work undertaken by France in Tunis had more "originality, suppleness, power, and fecundity" than any she had as yet executed, and was the admiration of Europe. A few years ago there were 300 or 300 Frenchmen in Tunis, now there were over 10,000. Taxes had been reduced to almost nothing; the imports and exports each amounted to about 2,000,000*fr.* Whilst guaranteeing the interest of the debt credit had been improved, and the last conversion had produced 400,000*fr.* applied to public works. The sums devoted to public instruction "had quintupled;" the postal circulation had increased 120 per cent. The piastre had been abolished and a monetary system similar to the French introduced. The Budget receipts had doubled in a few years.

Finally, as to Bizerta, let an inquiry be made in Italy what was thought there of the great work undertaken? These objects would be pursued; France wished to cause disquietude to none; but strong in her rights she wished to devote her efforts to a work of utility and grandeur.

M. Hubbard, believing that he had achieved his object by the attention he had called to the subject, withdrew his motion.

I have, &c.
(Signed) E. C. H. PHIPPS.

No. 3.

Lord Vivian to the Earl of Rosebery.—(Received January 31.)

(No. 39. Confidential.)
(Extract.)

Rome, January 27, 1893.

THE language on the subject of Bizerta used by M. Ribot in his speech in the French Chamber defending the policy of his Government in Tunis, in which he boasted of the importance of the works in progress there, and of the determination of the French Government to complete them without any care for the susceptibilities of Italy, which he took credit for disregarding, has caused great annoyance as well as some apprehension here. Signor Brin tells me that if the interpellation on this question, which he has hitherto succeeded in averting, should now be brought on, M. Ribot's boastful and defiant language towards Italy rendered it almost impossible for him to give the reassuring answer to the interpellation which he had intended to make.

Lord Vivian to the Earl of Rosebery.—(Received February 20.)

(No. 40.)

My Lord,

Rome, February 8, 1893.

QUESTIONS were put in the Chamber of Deputies the day before yesterday by General dal Verme, who was for some time Chief of the Staff of the Corps d'Armée of Sicily, and two other Deputies, regarding the intentions of the Government with respect to the defence of Sicily in view of the transformation of Bizerta into a military and naval port, which General dal Verme described as a danger, not only to Sicily and Sardinia, but to the coasts of the Mediterranean and Adriatic, far more formidable in respect to its strategic position than Toulon, and against which it was necessary to guard to prevent being taken by surprise.

The answers of the Ministers of War and Marine, who both said that the question in its political aspect was too delicate for public discussion, turned exclusively on technical details of the works executed and in process of execution for the defence of Sicily, and on the other measures of defence which could be adopted, such as the strengthening of the Italian fleet.

I inclose a summary by Colonel Slade of the discussion.

Signor Brin told me that he had purposely kept away from the House, and left the question to be discussed from a technical point of view, as he felt that after M. Ribot's recent language in the French Chamber, in which he had pointed with satisfaction to the apprehension which the works at Bizerta had created in Italy as a proof of their importance, he could not conscientiously give a reassuring answer to the question, while he wished to avoid saying anything that might irritate France.

I have, &c.
(Signed) VIVIAN.

Inclosure 1 in No. 4.

Colonel Slade to Lord Vivian.

My Lord,

Rome, February 24, 1893.

I HAVE the honour to forward, for your Excellency's information, a summary report of a debate which took place in the Italian House of Deputies on the 6th instant, with reference to the fortifying of Bizerta.

I beg also to inclose a copy of General dal Verme's speech, and the Minister of War's reply, which has been printed for private circulation.

The opportuneness of raising this delicate question at the present moment was warmly discussed, and several of General dal Verme's most intimate friends endeavoured to dissuade him from raising the subject, but without effect.

The result of the debate will be nil—with the exception that trials will be made of mounting 15-cm. guns on railway trucks sufficiently strong to enable them to be fired therefrom.

I shall endeavour to obtain the result of these experiments as soon as they have been carried out.

I have, &c.
(Signed) JOHN RAMBAY SLADE, Colonel,
Military Attaché.

Inclosure 2 in No. 4.

Summary of a Debate in the Italian House of Deputies on the 6th February, 1893, on the question of the Fortified Port of Bizerta.

MAJOR-GENERAL DAL VERME opened the debate with the following question:—

"As it is known that the French Government are actually carrying on very important works in the Regency of Tunisia, with the admitted purpose of transforming the Bizerta Lake, which is connected with the Mediterranean by a canal, into a military naval station, it is desirable that the Government should inform the House what they intend doing to protect the Sicilian coast against an offensive attack."

Without touching on questions of international rights, General dal Verme simply pointed out the fact that a military naval station in that special position, commanding the narrowest point of the Mediterranean, is of the greatest strategic importance.

To Italy fortified Bizerta will always be a danger, a constant menace.

Toulon, as far as to the eventuality of troops being embarked to land on the Italian coast, does not represent a danger; but not so with Bizerta. Here not only is it possible, but it is very probable.

The Government should be unremitting in their vigilance; it would be foolish to accept and believe the assertion made that the works in course of construction are intended for commercial purposes only.

The character of the works, and the fortifications which surround them, entirely put this theory aside.

It is true that Italy has no intention to attack any one, but she is bound to be prepared to defend herself against any possible offensive movement.

Fortifications might be erected at Trapani, facing Africa at that point, but two objections exist to such a course, one of a financial character, and the other of retaliation, which would certainly be a bad policy. The solution of the problem should in preference be sought on political grounds.

Other questions, of an identical nature, of more or less importance exist; should all these form the subject of negotiations, a satisfactory arrangement might settle the Bizerta question as well.

Independent of the political course, the protection of Sicily against a sudden invasion should be undertaken by the Government by preparing a suitable embarkation post at Villa S. Giovanni on the Calabrian coast, so as to insure the communications between the continent and the island being secured. The cost of such works would not exceed 12,000l.

In addition, the inland routes and railways leading to Messina should be completed, the waterworks kept in good order, and barracks, stores, and hospitals built in the town of Messina.

The construction of the railway round Etna fitted with the narrow gauge is a matter of regret, and the Government is to be blamed for having missed the opportunity of securing the ordinary gauge.

General dal Verme then asked the Government what they meant to do in the matter, and begged to be informed whether they purposed to make use of the seaside railway lines as a means of defence by running artillery armoured trains.

After having completed these, and other works, we may quietly wait for future events, and put our trust in the valour of the army and the navy, as well as in the high-spirited patriotism of the population of Sicily, of which so many splendid instances could be quoted.

Deputy Nasi followed by arguing that the fortifying of Bizerta did not only represent a military, but also, and chiefly, a political question.

The French press tried at first to call Bizerta a commercial port, but when the true character of the works in course of construction could no longer be questioned, they then said they were only for defensive purposes.

It is rather too good, if true, that no importance is attached to the Bizerta fortifications, on the assumption that in case of war France will have to concentrate her forces on the Rhine.

In the event of war the decisive battles will be fought at sea, and for that reason the destinies of Italy will not be dependent on the issues of the war at the foot of the Alps.

Deputy Nasi further stated that he had no great faith in diplomacy; but, at the same time, something might have been hinted as regards Tunis when the Triple Alliance was renewed; nor did he believe that Italy's interests would be protected by the intervention of England.

It is thus clear that the coast of Sicily, and especially the western coast, should be strongly protected by fortifications.

M. Colajanni held that there was no immediate danger of the war breaking out at present, but he was agreed in the threatening character of the fortifications at Bizerta. He was of opinion that the construction of fortresses or similar works in the island would not afford as efficient protection as an increase of our naval strength would.

Lieutenant-General Pelloux, the Minister of War, in replying, stated: "The system of a country's defence should be based on the criterium formed of guarding against all possible eventualities which might possibly occur."

"The problem of the defence of Italy has been the subject of long study by a Committee, presided over by Lieutenant-General Mezzacappa, in 1883.

"The ideas and plans drawn and expressed in the full Report of the said Committee have been partially carried into practice as to that which affected the defence of Sicily.

"Since that time and up to the present nothing has occurred, and no event is in prospect likely to suggest the advisability of changing the plan then adopted, and for this reason I am more ready to approve General dal Verme's views rather than the suggestions of the Honourable Nasi.

"I feel, however, disposed to assert that the works of defence already completed, or in contemplation, in Sicily are sufficient to prevent the possible landing of a large body of troops.

"I will certainly not fail to carefully watch and push forward the construction of public works of a military nature.

"The question of artillery armoured trains on railway lines is a difficult and a complicated one, but experiments on this subject will be carried out.

"The Government are particularly anxious that the country should never be found unprepared to meet all events."

Vice-Admiral Racechia, the Minister of Marine, stated that he fully agreed in the declaration of the War Minister.

"The eventualities of a war may be calmly considered when the fortifications of the Messina Channel and the high state of efficiency of the navy are taken into account, and even more so when the navy shall have attained the strength which the Government aim at, and to obtain such I hope the approval of Parliament will not be found wanting of these armaments. I believe those of Taranto as being absolutely efficient to secure the defence of Southern Italy."

In conclusion, the Minister stated that in preference to the construction of fortresses he would prefer an addition being made to the strength of the navy.

The Ministerial explanations, which were carefully worded, were on the whole favourably accepted by the House, but the aforesaid three Members were not entirely satisfied, and insisted that the fortifying of Bizerta was a great danger to Italy.

(Signed) JOHN RAMSAY SLADE, Colonel,
Military Attaché.

No. 6.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 7.)

(No. 5. Confidential.)

My Lord,

Tunis, February 27, 1893.

I HAVE the honour to inform your Lordship that Major Rebillet, a French Staff Officer, has left here for the south of the Regency, accompanied by Sid Allala Djoniny, late Governor of Beja. Major Rebillet commanded for several years the frontier posts of Medenin, Tatahouin, and Larzia, from whence he was removed to Tunis only last year. During his residence in the south he was actively employed in the pacification of the border tribes, with the view to an eventual delimitation of the frontiers which would be advantageous to the Government of the Protectorate, and he succeeded in gaining over the independent and turbulent tribes of the Werghamun districts, who are now transformed into peaceful and loyal subjects of the Bey.

Sid Allala Djoniny is an officer high in favour with the Tunisian Government, and is the son of a General employed formerly by the Bey for the collecting of taxes and the suppression of revolts, which were of frequent occurrence in those regions. He will therefore be of considerable service to Major Rebillet during his mission, which is undoubtedly in connection with the demarcation of the Tripoli-Tunis frontier.

I have, &c.
(Signed) B. DRUMMOND HAY.

No. 6.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 7.)

(No. 6.)

My Lord,

Tunis, March 1, 1893.

WITH reference to my despatch No. 5 of the 27th ultimo, I have the honour to transmit to your Lordship herewith an extract from the "Dépêche Tunisienne" of a telegram from Tripoli, reporting that "in consequence of the raids that have frequently occurred on the frontiers of Tunis and Tripoli, the Porte has come to an understanding with the Tunisian Government to take the necessary measures for the delimitation of the frontiers."

I have, &c.
(Signed) R. DRUMMOND HAY.

P.S.—My despatch No. 5 of the 27th February was sent by Italian post, and will therefore arrive a day later than this.

D. H.

Inclosure in No. 6.

Extract from "La Dépêche Tunisienne" of March 1, 1893.

Délimitation de Frontières.

Tripoli, 28 Février.

EN raison des razzias qui ont lieu fréquemment sur les frontières Tunisiennes et Tripolitaines, la Porte s'est mise d'accord avec le Gouvernement Tunisien pour faire opérer la délimitation de ces frontières.

No. 7.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 9.)

(No. 6. Commercial.)

My Lord,

Tunis, March 3, 1893.

WITH reference to my despatch No. 5, Commercial, of the 20th ultimo, I have the honour to inform your Lordship that the submarine cable between Marseilles and Tunis passes in close proximity to Bizerta, and that Mr. Bourke, British Consular Agent, reports that the cable could be at any moment connected with the land.

I mention these facts to your Lordship, as when I made inquiries in Tunis on the subject, the Director of Telegraphs assured me that the cable was laid from Marseilles to Tunis direct, and that the cable-ship "Calabria" only entered Bizerta Harbour on account of stress of weather.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 8.

The Earl of Rosebery to Sir. C. Ford.*

(No. 29.)

(Telegraphic.) P.

Foreign Office, March 12, 1893.

THE British Vice-Consul at Gabes has informed Her Majesty's Consul-General at Tunis that attempts are being made by the native Commissioner, who has been appointed by the Government of Tunis to delimitate the frontier, to bribe Tripoli tribes and their officials.

* Also to Lord Vivian (No. 16).

No. 9.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 13.)

(No. 8.)

My Lord,

Tunis, March 7, 1893.

WITH reference to my despatch No. 8 of the 1st instant, I have the honour to transmit to your Lordship herewith a cutting from the "Dépêche Tunisienne" of the 7th instant relating to the delimitation of the Tunis-Tripoli frontiers.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 9.

Extract from "La Dépêche Tunisienne" of March 7, 1893.

LA DÉLIMITATION DES FRONTIÈRES TUNISIENNES.—On a vu, par une dépêche de Tripoli, que le Gouverneur-Général de la Tripolitaine avait désigné des Commissaires chargés de procéder, avec des Représentants de la France et de la Tunisie, à la reconnaissance de la frontière commune à la Tunisie et à la Tripolitaine.

Voici quelques renseignements à ce sujet:

Depuis l'établissement du Protectorat Français en Tunisie, des contestations s'étaient élevées entre les autorités Turques et Françaises relativement à la limite des territoires Français. Cet état de choses était la source de conflits—sans grande importance d'ailleurs—surtout depuis la soumission des dernières tribus Tunisiennes insurgées.

Un poste Français a été créé au sud de Gabès, à Médénine, et son Commandant exerce son autorité sur les populations Tunisiennes établies sur les frontières.

Les sujets Franco-Tunisiens disputaient souvent aux populations soumises aux Turcs les territoires de parcours et de pâturages situés entre l'Oued-el-Hania et l'Oued Mogta.

Le règlement de ces disputes était rendu délicat par l'absence de frontière officielle, les Turcs revendiquant comme limite l'Oued-el-Hania, alors que la France produit des documents prouvant que c'est l'Oued-Mogta qui était la limite sud-est de la Tunisie.

Depuis près de dix ans, ces difficultés restaient insolubles, quand le Gouvernement Turc proposa, pour mettre fin aux luttes des populations frontalières, de construire des bords fortifiés. Le Gouvernement Français accepta ces propositions, mais il montra que la construction de ces fortins devait être subordonnée à la délimitation de la frontière.

La question fut examinée à Constantinople par M. Cambon, notre Ambassadeur, et par le Gouvernement Ottoman. Et c'est à la suite de cette étude que fut décidée la constitution des Commissions de Délimitation.

La Commission Franco-Tunisienne se compose d'un Caïd Tunisien et du Commandant Réhillet, ancien Commandant du poste Médénine, actuellement Chef d'Etat-Major de la brigade d'occupation. Les Commissaires n'auront à procéder qu'à la délimitation de la frontière, dans la plaine qui s'étend entre la Méditerranée et le plateau montagneux, haut de 600 à 800 mètres, qui suit la côte, à 120 kilom. environ dans l'intérieur.

No. 10.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 13.)

(No. 9.)

My Lord,

Tunis, March 7, 1893.

WITH reference to my despatch No. 32 of the 24th May, 1892, relating to the case of British subjects dismissed from employment as tobaccoists, and to Sir Philip Currie's despatch No. 9 of the 3rd of the following month, directing me to endeavour to come to an arrangement with M. Massicault upon the lines I suggested, but to accept smaller compensation, if by so doing I could effect an immediate settlement, and obviate the necessity for further representations to the French Government, I have the honour to inform your Lordship, that owing to the prolonged absence of the

late M. Massicault during the summer of last year, terminating with his fatal illness, the matter remained in abeyance.

During my visit of inspection to Suse and Sfax last January, deputations representing the British communities at each port begged me to bear in mind the claims of the tobaccoists, and to obtain if possible adequate redress for their grievances.

I took an opportunity of bringing the question under the notice of M. Rouvier before he left for Paris, and of informing him that M. Massicault had made me a verbal offer to compensate those persons who were reduced to necessitous circumstances by loss of employment, but that we had been unable to proceed further with the case, as the reports of the Tunisian Government officials and the British Vice-Consuls were at variance, the former having assured the Resident that among the seventeen tobaccoists, only three were in need of assistance. M. Rouvier remarked that if the number of claimants were not so large the solution of the question would be greatly simplified.

I replied that no formal claim had been hitherto advanced for an indemnity, but I trusted that he would prevail upon the Tunisian Government to afford relief to those British subjects who are sufferers by loss of employment.

M. Rouvier made a note of my remarks, and said that he would consider the matter.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 11.

Sir C. Ford to the Earl of Rosebery.—(Received March 17.)

(No. 75.)

My Lord,

Constantinople, March 6, 1893.

I HAVE the honour to transmit copy of a despatch I have received from Consul-General Moore, reporting the appointment of the Ottoman members of the Joint Turco-Tunisian Commission for the delimitation of the frontier between Tripoli and Tunis. My Italian colleague informs me that he called two days ago on the Grand Vizier, and that his Highness told him that all the necessary instructions had been sent to the Ottoman Commissioners, and that they had been desired to expedite the work of the Commission as much as possible. Count Collobiano was of the same opinion as Mr. Moore, that the boundary which had been fixed by a Convention in the early part of this century would be taken by the Ottoman authorities as the basis for the present negotiations. His Excellency further told me that the Italian Consul-General at Tripoli had telegraphed to him that it was rumoured that the Tunisians had occupied Marsabrouha, but that no confirmation had as yet been received of this news.

I also beg leave to inclose some interesting notes with which Colonel Chermside has furnished me on the subject of the Turco-Tunisian frontiers. I am afraid it will be difficult to obtain here any account or detailed information as to the line which the Ottoman Government may claim, as they are—and my Italian colleague has also experienced it—extremely reticent on the matter.

If the Tunisian Commissioners claim the line of the French Staff Map, and if the Ottoman Commissioners, as is supposed, take as their basis the line running from El Biban to near El Mehrotta, it will be difficult for the Joint Commission to arrive at an arrangement unless one side or the other makes considerable concessions.

Colonel Chermside has informed me verbally that a French unofficial account, which was published in the "Temps" of the 21st February, states that the Ottoman proposed line is the Wady-el-Hania, such as is given above; but that the French contention is for the Wady Mogta line, in support of which it is said that the Government has documentary evidence.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure 1 in No. 11.

Consul-General Moore to Sir C. Ford.

Sir,

Tripoli, February 20, 1893.

ADVERTING to my despatch of the 10th December, 1892, I have the honour to report to your Excellency that the Bey of Tunis appears to have agreed to the proposal of the Governor-General of Tripoli for the definition of the boundary between the Province of Tripoli and Tunisia by a Joint Turco-Tunisian Commission, inasmuch as Ahmed Rassim Pasha has appointed the Ottoman members of this Commission: they are Mohammed Ben Moustafa, member of the Administrative Council of the Province, a learned notable of Tripoli; Rifat Bey, Lieutenant-Colonel of Engineers, on the staff of the Tripoli Division; and Ahmed Effendi, Clerk of the above-mentioned Council, as Secretary. The Governor of the Gebel, in whose district the boundary is situated, is to join the Commission on the spot, accompanied by Ben Zikri Effendi, a native notable, who is said to possess much local knowledge and information.

The Commissioners are to leave Tripoli for the scene of their labours in a few days, attended by a cavalry escort.

I understand that the Bey of Tunis, on his side, has appointed native Commissioners, who are said to be men of capacity and intelligence, to meet their Ottoman colleagues on the frontier. Whether any French officers have been joined to them, as is most probable, not to say certain, I have not been able to ascertain, but probably Her Majesty's Consul-General at Tunis has reported to you on this point.

I am informed that early in the century a written Convention, or Agreement, was concluded between the then Bey of Tunis, Hammonda Pasha, and the semi-independent Ruler of Tripoli, Yousef Pasha Carmanli, fixing the boundary between the two countries, and that this Convention is to be taken as the basis of the negotiations now to be entered upon.

I have, &c.
(Signed) NOEL TEMPLE MOORE.

P.S.—I have just learnt from my Italian colleague that a French officer has been appointed to join the Tunisian Commission.

Inclosure 2 in No. 11.

Extracts from Colonel Chermside's Notes, 1889-93, re Tripoli-Tunis Frontier.

(Memo. No. 4.)

Tripoli, March 6, 1893.

THE frontier shown in the Military Intelligence Department Map is copied from the French Staff Map, and appears to coincide with that actually held. This frontier is shown on the French Map of Tunisia, price 1 fr. 50 c. per sheet.

2. In consequence of frontier incursions and incidents, correspondence was exchanged between Turkey and other Powers early, I think, in 1891; in this Turkey I believe laid claim to a line running from near Dwerat W.S.W. to Bir Turkiya, and thence joining the Algerian-Tunisian frontier. This pretension, which laid claim to a vast amount of Hinterland behind Algeria, was, I believe, in no way recognised or answered.

3. Duveyrier's book, published in Paris in 1864, "Les Touaregs, &c." (published I think by Hachette), says the frontier runs from the fort in El Biban on the Mediterranean past El Arachiya—El Mogroun between El Anshoush and Ramada, and thence straight to a point 13 kilom. south of El Mehrotta. There it joins the Algerian frontier, and runs as shown in Military Intelligence Department Map. I have seen above work, but have not a copy, and cannot say whether the author cites any authority for the frontier line which he gives.

4. Another French work, "Expédition Française en Tunisie 1881," by Maurice Bore, published by Baudouin, the Military Librarian, quotes the same line as Duveyrier.

5. A "Bouyoucoudou" of Hamourdou, the Bey of Tripoli, bearing the Boylical mark, and dated A.H. 1221 (A.D. 1806-7), is said to give the frontier as running from the Islet of Biban to El Anshoush, passing from thence north of Ramada, i.e., about the same as Duveyrier. A record of this, or the original, exists, I believe, at Tripoli.

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Rasim Pasha, the Vali of Tripoli, had, I heard, found this deed in the family of an Arab of note at Mallut, near the frontier.

6. I heard that the Tripoli Government has also the deed or Convention between Tunis and Tripoli of an early date in the present century, given to or executed by Yassuf Pasha Karamanlu, one of the semi-independent Rulers of Tripoli from Karaman, in Asia Minor. I heard that this deed had been sent to Constantinople.

(Extracts end.)

As regards the present question of delimitation, I am quite unaware of what data, in the records of the Capital, the Ottoman authorities possess—nor can I in any way guarantee the accuracy of §§ 5 and 6.

While it would seem that there is considerable evidence of the former frontier having run from El Bihan to near El Mehrotta, I am quite unaware whether any later Conventions or arrangements have been entered into modifying the frontier in the sense of the one now existing.

The frontier given above, where it quits the sea, is 20 miles west-north-west and inland in reputed Tunisian territory from that on Military Intelligence Department Map; while at its desert extremity and junction at an undisputed point with the Algerian frontier it is over 10 miles distant from the point given on Military Intelligence Department (and French) Map, and in the centre, north of Waxim, it is over 20 miles retired from the present one.

As it is *prima facie* improbable, sterile as much of this wide band (containing 8,500 square miles) is, that the French, represented by the Tunis Government, would be ready to give up much of this district already in their occupation, the topographical details of the line which the Ottoman Government claims are a matter of some importance as regards the probable success of the negotiations.

I have heard mention of the French Embassy here being interested in the present phase of the question, but no further detail.

I have, &c.
(Signed) HERBERT CHERMSIDE.

No. 12.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 17.)

(No. 10.)

My Lord,

Tunis, March 11, 1893.

WITH reference to my despatch No. 8 of the 7th instant, I have the honour to inclose an extract of a telegram, published in the "Dépêche Tunisienne" newspaper, relating to the delimitation of the Tunis-Tripoli frontiers.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 12.

Extract from "La Dépêche Tunisienne" of March 11.

Tripoli, 10 Mars, 1893.

LES Commissaires Tunisiens et Ottomans chargés de délimiter les frontières Tunisiennes et Tripolitaines, se sont réunis à Gouara.

La Commission Ottomane a pour chef Rifat Bey, Colonel d'État-Major.

On pense que les deux Commissions s'entendront facilement pour ce règlement de frontières.

No. 13.

Foreign Office to Consul-General Drummond Hay.

(No. 4.)

Sir,

Foreign Office, March 17, 1893.

I AM directed by the Earl of Rosebery to convey to you his approval of the language you held to M. Rouvier in regard to the case of the British subjects dismissed from employment as tobaccoists in Tunis, as reported in your despatch No. 9 of the 7th instant.

I am, &c.
(Signed) P. OUBRIE.

No. 14.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received March 20.)

(No. 12. Confidential.)

My Lord,

Tunis, March 15, 1893.

I HAVE the honour to transmit to your Lordship herewith a Report on my journey in the south of the Regency, containing information relating to the tribes inhabiting that region, and to the contested territory on the Tunis-Tripoli frontier.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure 1 in No. 14.

Report by Consul-General Drummond Hay on a Tour in the Southern Frontier Districts of Tunis.

(Confidential.)

ON the 21st December, 1892, I left Tunis for the south of the Regency, and reached Gabes by land early in the following month. There I made the acquaintance of Colonel Gousset, commanding the troops in the Southern District, and also of General Allegro, Governor of Gabes and the Arad. These gentlemen had received instructions from head-quarters at Tunis to afford me every assistance during my journey.

The country extending from Gabes along the coast to the Tripolitan frontiers, the Oases of Nefzaoua, and the districts of Gabes and Feriana, bordering the Algerian frontiers, are all under military control, and administered by "Bureaux de Renseignements," commonly known under the title of "Bureaux Arabes."

The rest of the Regency, with the exception of the "Khouair" or Khroumir provinces, on the northern frontiers of Algeria, is divided into "Contrôles Civils," for the superintendence of the Kaïds, or native Governors, by French District Commissioners.

The chief military posts of the Southern District are Gabes, Medenine, Gafsa, Zarzis, Kebilli, Tatahouine, and Feriana. At each of these places there is a "Bureau de Renseignements," under the direction either of a Captain or a Lieutenant of the French army, according to the importance of the post, assisted each by one or two officers, besides the necessary complement of military interpreters.

Before the French occupation Gabes was an insignificant port, composed of two villages, situated about a mile from the sea on the skirts of an oasis.

A small European town has since sprung into existence at the mouth of the river, and adjoining the military camp. These sites appear to have been injudiciously selected, both from sanitary and strategical points of view, as the town is on a level with the malarious banks of the river, and the barracks are at the foot of the heights dominating the port and town of Gabes.

The troops stationed in the Southern District consist of Engineers, Artillery, "Régiments d'Afrique," Spahis-Reguliers, Transport Corps, and "Bureaux de Renseignements," numbering in all about 3,000 men, of whom half are quartered at Gabes.

* Oucienne of Gabes and Feriana are not included in this estimate.

The horses and mules attached to the military service number 878. About 507 of these belong to the garrison of Gabes. The barracks of the latter consist of stone huts divided by broad thoroughfares.

All animals are picketed in an open square, inclosed by a stone wall. A company of the 4^e Régiment d'Afrique was under drill during my visit to the camp, and in pointing them out, the Colonel mentioned that they were all men who had been sentenced for theft.

In the course of conversation with the Colonel, I inquired whether the frontier tribes had given him any trouble lately. He replied, "Not since last autumn, when we had to intervene between the Tunisian and Tripolitan tribes of Dhiba and Wassen."

He was of opinion that a clearly defined frontier would be the surest safeguard against tribal conflicts regarding right of tillage and pasturage, and he mentioned that political reasons had hitherto impeded the appointment of a Delimitation Commission, but that the Turks had now found a way out of the dilemma, and addressed themselves directly to the Bey on the subject. He believed that when the Commissioners met, they would select the line of the Mogta from the sea-coast, but that the demarcation from the source of that river to the hills at Wassen and Dhiba would lead to some discussion, for the Tripolitans lay claim to lands which are included in the French^a Map of 1889 as Tunisian territory. The Commissioners would not, however, encounter any insurmountable difficulties in arriving at an understanding on the subject.

During my stay at Gabes, I learnt from another source that orders had been issued by the "Bureau de Renseignements" to the Tunisian tribes to proceed to the frontier without delay, in order to occupy and plough the contested territory, and that a body of native mounted police had been sent for their protection.

A military signal station has been erected on the summit of Djebel Dissa, 8 kilom. to the north-west of Gabes, communicating to the south with the frontier post of Medenin, and to the north with that of Djebel Orkata at Gafsa.

General Allegro, Governor of Gabes and the Arad, is a very influential personage amongst the natives, and has rendered valuable services during his Governorship in bringing refractory tribes into subjection to the government of the Protectorate.

His mother was a native Kabyle of Algeria, who married an Italian of Bone. At the time the famous Khroumir insurrection broke out, Allegro played an active part in bringing about the theatrical invasion of the country by French troops.

It is said that many of the late conflicts on the Tripolitan frontier have been fomented by him with a view of introducing another question of the Khroumir type, but of late years his ingenuity has been seriously impaired by failing eyesight. He is now quite blind, and it is reported that the Government intend to pension him, and to place in his stead a French "Contrôleur Civil," with jurisdiction over the port and immediate neighbourhood of Gabes, leaving the Arad under the sole administration of the military authorities.

The Arad district extends from Gabes along the coast to the Tripolitan frontier, and is bounded by the latter on the south, by the desert over the mountain range on the west, and by the province of Beni Zid on the north.

On leaving Gabes I proceeded to Zazis, a small port adjoining a rich oasis of date palms and olive trees. The day following that of my arrival, I accompanied the officers in command of the "Bureau de Renseignements," and the Khalifa, or Vice-Governor of the district, to the narrow peninsula at Bahira-el-Bihan, where we were joined, for the purpose of hunting gazelle, by about 100 horsemen of the Acara tribe. They were all mounted on mares averaging about 14-3 hands, with small Arab saddles of lighter make than is usually seen, covered with embroidered leather or leopard skins. European double-barrelled muzzle-loading guns were slung over their shoulders. These they employed with great dexterity, firing at full gallop with unerring aim.

Many were followed by well-bred greyhounds. When the gazelles were viewed, they would lift their hounds into the saddle, and at a favourable moment, if the quarry was distancing their horses, drop them gently to the ground to continue the pursuit.

They exhibited fine horsemanship combined with dash, and appeared to be on excellent terms with the French officers.

While at Zazis I ascertained that the country south of the oasis to the Tripolitan frontier is claimed by the authorities as territory of the Acara, who are a peaceful tribe, and usually on good terms with the Zowara, their neighbours across the frontier.

^a Carte de la Tunisie, dressée au Service Géographique de l'Armée 1889.

The remaining Tripolitan border tribes are the Seian and the Nowail, who have been at feud with the Tunisians from ancient times.

The garrison of Zazis consists of one battalion of the "Régiment d'Afrique," and a detachment ("demi-peloton") of Red Spahis. The latter are known as the "Red," in contrast to the "Blue" (cloaked) Spahis, who are the mounted police of the country, under the orders of the Kaïds, and the "Bureaux de Renseignements."

The post of Kasr Medenin is at a day's march from Zazis. Two long salt marshes have to be traversed on the way, where three columns of masonry, known as "Les Pyramides," have been erected by the military authorities at each end, and half-way between the marshes, as land-marks for travellers.

Major Billet, of the French cavalry, and several officers, accompanied by an escort of Spahis, met me about six miles from Medenin.

On our way to the camp, we rode through the "Kasr" or castle erected by the natives in former days for the storage of grain, and the protection of cattle against the attacks of marauding tribes.

The stores consist of long vaulted rooms, sometimes rising to eight stories in height, and facing large open squares. Each granary has a separate entrance, reached in the upper tiers by scaling, with the aid of wooden pegs, or projecting bricks. The natives still cling to the ancient custom of storing their grain in the Kasr, but I observed that the new buildings were not protected by high walls.

The owners of the granaries belong to nomad tribes, who pitch their tents in the summer around the Kasr, and in the winter depart with their flocks and herds to the plains for pasturage and agriculture.

The troops quartered at Medenin comprise a Company of the "Régiment d'Afrique," and a detachment of Spahis (one "peloton"), dwelling in two stone buildings, of about sixty rooms, capable each of accommodating twenty-six men.

The cavalry horses and transport animals are picketed in the open on the same principle as at Gabes.

In addition to these buildings, there are the quarters of the Major in command, and of the officers, the "Bureau de Renseignements," the "Cercle," and Post and Telegraph Office.

The signal station of Medenin is situated on Djebel Tadjora, 6 miles to the north-west of the camp, close to Kasr Metemmour, another granary where the troops were quartered in the commencement of the occupation. The natives of Medenin and of the plains bordering the frontier along the hill-ranges belong to the Ouderna tribe.

Major Billet informed me that these people are the best horsemen in the country, a brave and warlike race, upon whom the military authorities could always depend.

The tribes who inherit the oases and plains of the Arad, extending from the coast to the western range of mountains, are composed of the Acara, the Touazin, and the Ouderna, collectively known as the Werghamma.

The Touazin are neighbours of the Acara, and the Ouderna occupy the plains bordering the hills.

These tribes have been in the habit from time immemorial of wandering during the winter months over the vast plains lying between Medenin and the frontier. The land cultivated by them in those regions is not held by title-deeds, but there are certain districts where they have acquired by long usage rights of cultivation and of pasturage.

On reaching the ground, each person claims the land he intends to cultivate by marking it with one ploughed furrow, but before taking possession he has to prove to the Sheikh of his "dotar," or camp, that he has brought with him sufficient seed to cover the selected area.

The favourite country of the Ouderna and Touazin is situated in the plains between Wad Fessi and the boundary of the Mogta claimed by the Tunisian Government, and marked in the French Map of 1889 as the line of demarcation.

Since the French occupation the Tunisian tribes have succeeded, with the support of the authorities, in monopolizing all arable land and pasturage north of the Mogta, but formerly both the Tripolitan and Tunisian nomad tribes were in the habit of settling in those regions during the ploughing season, and of making common use of the land.

At that time the generally acknowledged boundary started from the mouth of Wad Fessi at the Sekkha Ben Djemel, and following the Sekkha-el-Hania in a southerly direction to the hills north of Djebel Nekerif. This may be confirmed by reference to any maps of old date, and especially French editions. It is therefore no matter of surprise that the Tripolitan tribes should have constantly resisted the attempts of the Tunisians to annex those districts.

During my visit to Medenine I rode to the southernmost post of Tatahouine, and was enabled to perform the journey rapidly through the courtesy of Major Billet, who provided relays of horses for the road.

The camp is situated on the oasis and river of Tatahouine, 33 miles to the south of Medenine, in the entrance to a mountain pass 15 miles to the east of Douirat.

A signal station recently erected on a hill lying to the north of the camp communicates with Medenine. It is constructed of solid masonry on the summit of a precipitous height, commanding a distant view of the Werghama plains and of all approaches to Tatahouine from the adjacent hills.

The camp consists of about seven buildings, one for the "Renseignements," two, with about twelve rooms in each, for the men, quarters for the officers commanding the "Régiment d'Afrique," and for the Spahis, "Cercle," and Post and Telegraph Office.

The complement of troops is similar to that of the Garrison at Zarzis, but the officers attached to the "Renseignements" and the mounted police are more numerous.

The authorities have established a weekly market at Tatahouine, as was reported in my despatch of the 15th February, 1892, for the purpose of opening up a trade route with the interior, and especially with the Touareg who inhabit the caravan routes leading to Tripoli (Ghadames) and to the south of the Regency.

The market is a large square surrounded by a high wall inclosing a mosque, a synagogue, and numerous stores, held principally by Jews.

The officer who superintends the market is a man of the name of Kaddour, a military interpreter who gained some notoriety in 1892,* when he was arrested on Tripolitan territory on his way to Ghadames disguised as an Arab.

The mountains in the south of the Regency are inhabited by Troglodytes of Iberian origin. Their dialect I observed is similar to that spoken by the Atlas tribes of Morocco.

Although Mussulmans, they never intermarry, or even mingle with the Arabs.

The French troops were formerly quartered at Douirat, a Troglodyte settlement situated on the steep sides of a conical-shaped hill capped by the ruins of a fortified granary.

I met there several Touaregs mounted on "Mehari" camels. They informed me that they were returning from Tatahouine laden with grain for their country, which is suffering from a severe drought.

They had always avoided entering the Regency from fear of the Werghama, but had now discovered that there was no further occasion for alarm, as they had been hospitably received both by Europeans and Arabs.

In conversation with a Berber chieftain, I learned that this was only the second visit of the Touaregs since the establishment of the market in 1891.

They had been warmly welcomed by the authorities, who ordered the market people to treat them handsomely.

Acting on these orders, one of the storeholders was induced to give them credit for 1,200 fr. value of corn, with the understanding that the money would be paid within a short period. The officers approved the arrangement, and, on the departure of the Touaregs, loaded them with presents of fire-arms, knives, &c. Up to the present time nothing has been heard either of the Touaregs or their money, and the officers have had to refund the losses of the trader.

I returned from Tatahouine to Medenine, and continued my journey with further relays of horses through the Matmata mountains to the Oasis of Hamma, and from thence across the steppes leading to Kabilli, a military post in the large Oasis of Nefzaoua.

This post is garrisoned by a battalion of the "Régiment d'Afrique," and a small detachment of Spahis, besides the "Bureau de Renseignements."

The officers and men are quartered in a castle belonging to a former Governor.

Kabilli commands the only road leading across the Great Shott, or salt marsh, to the Oases of Tozeur and Nefta.

A market has been established there on the same principles as at Tatahouine, and appeared as I passed through to be well stocked with goods, including articles from Tripoli and Ghadames.

The officers related to me that a Swiss named Cornes visited those regions every winter, travelling with one Arab attendant, on "Mehari" camels, and was in the habit of penetrating far into the desert, leading the life of an Arab. He had succeeded in reaching Ghadames disguised as a woman, but was discovered and brought back to the

* Reported in my despatch of 1st March, 1892.—D. H.

frontier. The last time that he passed through Kabilli, his only provisions were dates and a supply of water.

On the other hand, I heard at Gabes, from a person well acquainted with Cornes, that he is an expert employed by the authorities for topographical researches in the unknown desert regions lying between Nefzaoua and Wad Sout and Ghadames.

In 1891, I had the honour of reporting the arrival of Cornes* in the Regency on his way to Ghadames, and I then mentioned that he was believed to be a Captain of the French Engineers, although he passed himself off as a Swiss subject travelling on his own account.

On my departure from Kabilli, the Governor of Nefzaoua—a fine sample of the Ouderna Arabs—accompanied me through his district to the borders of the Shott. During the ride, he informed me that the population of the oasis is composed of Arabs, of whom a large portion are absent with their tents, families, and flocks during the rainy season.

When the French occupied the country in 1891, about 17,000 Arabs emigrated from the southern provinces to Tripoli. The Kaid, who had himself been one of the number, believed that the majority had now returned to their native soil, but he testified to the hospitality and kindness shown to the refugees at that time by the Tripolitans.

He spoke in laudatory terms of the order that had been established in the country by French administration, for he never could have believed that the independent and turbulent Werghama could have been so completely subdued. They were formerly the terror of the Berbers and inhabitants of the oases, but they have now become a law-abiding people, and have learned to appreciate a civilized form of Government.

The passage from Nefzaoua to Tozeur across the Shott is about 35 miles in length, and has to be traversed by daylight on account of the dangerous quicksands on either side of the track, which is marked out at short distances by wooden posts. During the wet season, travellers have to take a more northerly and circuitous route round the borders of the marsh.

On my arrival at Tozeur I was pressed for time, as the journey had occupied a longer period than was calculated; but I had the satisfaction of finding there a telegram from Major Goetschy, commanding at Gafsa, stating that relays of horses and mules would meet me on the road. This civility of the Major enabled me to reach Gafsa in half the ordinary time.

I then sent my baggage to Tunis, and rode via Feriana to the Algerian railway terminus at Tebessa.

Gafsa is a very picturesque and fertile oasis in a valley at the foot of Djebel Orkata and Djebel Junes. There is a signal station on the summit of the former hill, communicating with Hadjeh-el-Aïoun to the north, and with Gabes to the south.

The garrison comprises a battalion of the "Régiment d'Afrique," a battery of artillery, and a detachment (one "peloton") of Spahis, besides a "Bureau de Renseignements," with the usual complement of officers and mounted police.

The post at Feriana, situated at the entrance to the pine forests, has a small garrison similar to that at Zarzis, and also a "Bureau de Renseignements."

The Arabs of this district have been, from all time, famous falconers. Their birds remain in captivity only during the hunting season, and are afterwards let loose on their own grounds. Each bird that has distinguished itself is branded on the beak, in order that he may be recognized if recaptured in the following season.

The annexed Map of the Regency of Tunis shows my itinerary throughout the journey, and defines the frontiers claimed respectively by Tunis and Tripoli.

The names of several tribes, hitherto omitted, have been inserted, and the military posts and signal stations clearly indicated.

Lists are also annexed of the number of troops,† including horses and transport animals, belonging to the garrisons of the south, under the command of the Colonel at Gabes.

Tunis, March 9, 1893.

(Signed)

R. DRUMMOND HAY.

[The Maps annexed to this Report are not reproduced.]

* Despatch of 17th February, 1891.—D. H.

† Gafsa and Feriana are not included in these estimates. D. H.

Inclosure 2 in No. 14.

FRENCH TROOPS stationed at Gabes and the Southern Frontier Posts.

Gabes.					
4 ^e Régiment d'Afrique	..	..	..	..	460
15th Artillery	..	..	..	..	140
2nd Engineers	..	..	..	..	40
Spahis	..	..	..	..	35
1st Fusiliers disciplinés	..	..	..	..	100
21st Section Administration	..	..	..	..	60
10th Transport Corps	..	..	..	..	230
* Renforcements	..	..	..	..	30
Total	..	..	..	..	1085
Frontier Posts.					
4 ^e Régiment d'Afrique	..	..	..	..	550
2nd Engineers	..	..	..	..	78
Spahis	..	..	..	..	140
1st Fusiliers disciplinés	..	..	..	..	20
21st Section Administration	..	..	..	..	52
Transport	..	..	..	..	15
* Renforcements	..	..	..	..	40
Total	..	..	..	..	835
Number of Troops	..	..	..	..	2,020

Inclosure 3 in No. 14.

HORSES and Mules attached to the Military Service of Gabes and the Southern Frontier Posts of the Regency.

Regiment.	Gabes.	Zaria.	Medenine.	Tatahouine.	Kebilli.	Total
Transport	264	11	25	25	5	334
Artillery	120	..	..	..	..	120
Spahis	52	30	85	85	28	280
Engineers	10	4	8	8	..	36
* Administration	15	4	8	8	..	35
* Bureau de Renforcements	20	5	15	15	2	73
Total	507	54	141	141	33	876

No. 15

Lord Vivian to the Earl of Rosebery.—(Received March 30.)

(No. 69.)
My Lord,

Rome, March 17, 1893.

I HAVE spoken to Signor Brin about the Report, communicated to me in your Lordship's telegram No. 15 of the 12th instant, that the Native Commissioner appointed by the Government of Tunis for the delimitation of the frontier between Tunis and Tripoli was endeavouring to bribe the Tripolitan officials and tribes.

His Excellency thought that if any of the frontier points in dispute were of real importance, either from a political or strategical point of view, it would be well to warn the Porte of what was going on; otherwise, he was not much inclined to interfere.

I have, &c.
(Signed) VIVIAN.

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No. 16.

Sir Clare Ford to the Earl of Rosebery.—(Received March 31.)

(No. 90.)
My Lord,

Constantinople, March 17, 1893.

WITH reference to my despatch No. 75 of the 6th instant, in which I reported to your Lordship the appointment of a Commission of Ottoman Delegates for the definition of the Tripoli-Tunis boundary, I have now the honour to report that I have received a despatch from Her Majesty's Consul-General at Tripoli, dated the 7th instant, informing me that the Ottoman Delegates left Tripoli a few days ago to meet the Tunisian Delegates at the frontier.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 17.

Sir Clare Ford to the Earl of Rosebery.—(Received March 31.)

(No. 104. Confidential.)
My Lord,

Constantinople, March 26, 1893.

WITH reference to your Lordship's telegram No. 29 of the 12th instant relative to the delimitation of the Tripoli-Tunis frontier, I have the honour to report to your Lordship that I have brought the information therein contained confidentially to the knowledge of Saïd Pasha, Minister for Foreign Affairs, who has just now said me that he will give the matter his immediate attention.

My Italian colleague informs me that he has likewise spoken to Saïd Pasha, and has received from him exactly the same assurance to that given to me.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 18

The Earl of Rosebery to Lord Vivian.

(No. 86. Confidential.)
My Lord,

Foreign Office, April 8, 1893.

I TRANSMIT herewith to your Excellency copies of a despatch from Her Majesty's Consul-General in Tunis, containing his Report on a journey which he recently made in the south of the Regency. I have to request that you will communicate this Report confidentially to the Italian Government.

I am, &c.
(Signed) ROSEBERY.

No. 19.

Sir Clare Ford to the Earl of Rosebery.—(Received April 14.)

(No. 116. Confidential.)
My Lord,

Constantinople, April 4, 1893.

WITH reference to my despatch No. 104 of the 26th ultimo on the subject of the delimitation of the Tripoli-Tunis frontier, I have the honour to report to your Lordship that I have been informed by Nouri Bey, Under-Secretary of State for Foreign Affairs, that the Sublime Porte has sent categorical instructions to Ahmet Rasm Pasha, Governor-General of Tripoli, not to accept or adopt any other line of demarcation between Tunis and Tripoli but the one marked in blue on the handy map herein inclosed, which has been made for me by Colonel Chernide, and a copy of which I gave to the Turkish Minister for Foreign Affairs, when discussing the matter with him. The Governor-General has likewise been instructed to adopt, under all circumstances, as a basis of frontier delimitation, the block-houses built by the Turkish

Government some years ago, which run parallel to the blue line marked on the map, and which are not at any great distance from that line.

I may add that, having brought most confidentially to the knowledge of Said Pasha, Minister for Foreign Affairs, the rumour that had reached me, that attempts might possibly be made by the native Tunisian Delegate, Sidi Allah Djoumin, to induce by unfair means certain Arab tribes, as well as Turkish officials, to favour the Franco-Tunisian views on the frontier question, I have received assurances that confidential warnings would be given in the proper quarters to checkmate such proceedings.

I am indebted to the kindness of my Italian colleague for a *pro-memorandum* which he had recently communicated to the Porte, on the subject of the delimitation question, and in which reference is made to Sidi Allah Djoumin.

A copy thereof is herein inclosed.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure 1 in No. 19.

Map.

[Not printed.]

Inclosure 2 in No. 19.

Pro-memorandum.

SIDI ALI GININI, Gouverneur de Regha, fonctionnaire Tunisien, Délégué pour la délimitation de la frontière Tripolitaine. Ce personnage, qui exerce une influence sur la tribu des Uargamma, tâcherait avec de l'argent d'obtenir des fausses déclarations et témoignages qui puissent servir de base aux prétentions Franco-Tunisiennes au sujet de la ligne de la frontière, que l'on veut tracer de manière à comprendre dans le territoire Tunisien l'importante position de Uazzan, que l'on a toujours considéré comme faisant partie de la Tripolitaine.

On dit qu'il tâche aussi de corrompre les Délégués Ottomans.

No. 20.

Sir Clare Ford to the Earl of Rosebery.—(Received May 12.)

(No. 170.)

My Lord,

Constantinople, May 3, 1893.

I HAVE the honour to transmit copy of a despatch from Mr Consul-General Moore, reporting that the work of the Tripoli-Tunis Boundary Commission has been suspended, in consequence of a disagreement between the Delegates.

I asked the Italian Chargé d'Affaires whether he had received any news on the subject, and as no information had reached him from the Italian Consul-General, I communicated to him Mr. Moore's despatch.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 20.

Consul-General Moore to Sir Clare Ford.

Sir,

Tripoli, April 20, 1893.

I HAVE the honour to report to your Excellency that the work of the Joint Commission for the demarcation of the boundary between Tripoli and Tunis has come to a standstill in consequence of disagreement between the Ottoman and Franco-Tunisian Delegates, the latter insisting on the boundary laid down in the French Maps. This is rejected by the Turkish Commissioners, the instructions given to whom on this point are, the Vali told me, final and definitive.

The written Agreement produced by the Turks and said to have been concluded in the early part of the century between the Ruler of Tripoli and the Bey of Tunis defining the frontier between the two countries, referred to in my despatch of the 20th February last, has been pronounced by the French to be a fabrication and rejected by them.

It is thought that pressure will be brought to bear at Constantinople in favour of the French contention, and that the matter will be settled by a compromise to the advantage of France.

The disputed territory extends about 20 miles along the sea shore and includes a lake from which large quantities of salt are extracted.

I have, &c.
(Signed) NOEL TEMPLE MOORE.

No. 21.

The Earl of Rosebery to Sir Clare Ford.

(No. 48.)

(Telegraphic.) P.

Foreign Office, May 24, 1893.

TUNIS. Tripoli frontier. Your Excellency's despatch No. 170.

Count Tornielli spoke to me to-day about the delimitation, which he said was practically completed. The Ottoman Commissioners had firmly maintained their view of frontier-line. Intrigues, however, were going on at Constantinople, instigated by France, with the object of inducing the Porte to yield.

It is doubtful whether our interference would do any good; but let me have your views when you have discussed the matter with your Italian colleague.

No. 22.

Sir Clare Ford to the Earl of Rosebery.—(Received May 27.)

(No. 84.)

(Telegraphic.) P.

Constantinople, May 27, 1893, 4.25 p.m.

IN reply to your Lordship's telegram No. 48 respecting the delimitation of the Tripoli-Tunis boundary, Said Pasha informs me that nothing definite has been settled.

Two of the Turkish Delegates, his Excellency further states, have, at their own desire, started for Constantinople, wishing, before any regular decision is arrived at, to give personally full information and particulars on the subject.

No. 23.

The Earl of Rosebery to Lord Vivian.

(No. 99 Confidential.)

My Lord,

Foreign Office, May 31, 1893.

COUNT TORNIELLI called to-day, and asked whether Her Majesty's Government had received any further intelligence from Constantinople about the Tripolitan frontier question.

He was informed, in reply, of the contents of Sir Clare Ford's last telegram on the subject, which are to the effect that nothing has been settled, and that the Porte will await the return of its Commissioners to Constantinople before coming to a decision.

He said that the Italian Government had heard that the French were taking rather a menacing tone at Constantinople, that they did not accept the line laid down by the Turkish Commissioners, and that they had hinted that if the line proposed by the French Commissioners were not accepted, they might have to settle it without the consent of the Porte.

I am, &c.
(Signed) ROSEBERY.

Sir Clare Ford to the Earl of Rosebery.—(Received June 2.)

(No. 221. Confidential.)

My Lord,

Constantinople, May 29, 1893.

WITH reference to my despatch No. 170 of the 3rd instant, I have the honour to state that I have learnt from a confidential and usually trustworthy source that it had been agreed upon between the French and Ottoman Governments to establish block-houses on the Tripoli-Tunis frontier as soon as the line had been settled and demarcated. The Ottoman Frontier Delegates have now been summoned to Constantinople to furnish explanations as to the difficulties which have arisen in regard to the frontier-line, and also on account of the approaching hot season which would interfere with the prosecution of their work.

The French Ambassador here, I am informed, has protested against the delays which will thereby be occasioned, and has warned the Sublime Porte that his Government may in consequence consider themselves justified in undertaking alone the demarcation, and may erect the block-houses independent of the Ottoman Delegates.

The Sublime Porte has requested M. Cambon to move his Government not to act precipitately, and to do nothing without the co-operation of the Ottoman Delegates.

If the above information be correct, and I may mention that it slightly differs from the information supplied to me by Said Pasha as reported in my letter No. 44 of the 27th instant, it may be that M. Cambon is exercising pressure on the Ottoman Government to hasten proceedings, and I have informed the Italian Chargé d'Affaires very confidentially of the substance of the Report which has reached me.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Sir Clare Ford to the Earl of Rosebery.—(Received June 9.)

(No. 240.)

My Lord,

Constantinople, June 5, 1893.

I HAVE the honour to forward to your Lordship herewith copy of a despatch which I have received from Her Majesty's Consul-General at Tripoli, on the subject of the Tripoli-Tunis boundary.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 25.

Consul-General Moore to Sir Clare Ford.

Sir,

Tripoli, May 26, 1893.

I HAVE the honour to report to your Excellency that Rifaat Bey, one of the Ottoman Commissioners for the definition of the Tripoli-Tunis boundary, left last week for Constantinople, in obedience to a summons thither. In the meanwhile the other members of the Joint Commission remain at Zoara, near the boundary.

It is now certain that the document or Decree of a former Bey of Tunis, Hamouda Pasha, produced by the Turkish Commissioners, was a clumsy fabrication, and is acknowledged as such by the Governor-General. Apart from its dishonesty, this was a singularly fatuous proceeding on the part of the Turks, seeing that it furnishes a formidable argument in support of their contention to the French, who ask what truth there can be in claims which require such means to support them, and say that they need no other proof to establish their own.

I imagine that, particularly after this incident, the dispute will be settled in favour of the French claims.

I have, &c.
(Signed) NOEL TEMPLE MOORE.

Mr. Drummond Hay to the Earl of Rosebery.—(Received June 15.)

(No. 15. Confidential.)

My Lord,

Tunis, June 8, 1893.

I THINK it my duty to report to your Lordship the substance of a conversation I have had with Colonel de Labonne, Military Attaché to the French Residency, and an officer who is generally regarded as an authority on matters connected with the extension of French influence in North Africa.

In speaking of my journey in the south of Tunisia and of the markets established at the military posts on the Tripolitan frontier I inquired whether trading relations had been opened with the Touareg tribes of the desert, as I had met a small caravan returning from one of the markets.

The Colonel replied that they had been so far successful with a certain number of them, but as they are a race of Berber origin, he placed very little faith in their assurances.

I remarked that Tunisia would not be in a position to compete with the Ghadames and Tripoli caravan trade without the friendly co-operation of the powerful desert tribes who command the trade routes between the Sudan and North Africa. He then said, "We do not attach much importance to the diversion of the trade of Ghadames in our favour; it is not of sufficient value. The thoughts of Frenchmen are now concentrated on Tuni, which we hope will ere long become a great junction for all caravans bound from the Sudan to North Africa. A railroad already exists in Algeria which has penetrated some distance into the interior, and will in due course reach the Tuni oases."

Our conversation then turned to the Berber tribes inhabiting the Algerian frontiers and the Rif province of Morocco.

In answer to my remarks on their fanatical independence and indomitable courage, the Colonel held the following language: "In order to open up that country a railroad will have to be laid from Oran to Tanager and when the task devolves upon us to bring the tribes under subjection, we shall deal very decidedly with them, for they belong to the same race as the Kabyles of Algeria, whom it took us fifty years to conquer. I can assure you that the same blunders will not be repeated in Morocco."

Frenchmen have frequently hinted at the necessity of a rectification of their Morocco frontiers when discussing their position in Algeria, but no one has hitherto spoken so openly on the subject as the Military Attaché at Tunis.

I have, &c.
(Signed) B. DRUMMOND HAY.

Aide-Mémoire communicated by Count Tornelli, June 17, 1893.

AU nombre des documents présentés par les tribus de la Tripolitaine pour maintenir leurs droits sur les territoires leur appartenant, se trouvant un faux Décret de Hammad Pacha. De ce Décret il n'a été tenu aucun compte.

La ligne de frontière que les Commissaires Ottomans réclament est tracée suivant les indications fournies par soixante-onze documents dont l'authenticité n'est pas à mettre en doute. Ces documents contiennent les concessions faites à la tribu des Uled-ben-Mariam, qui occupe le territoire entre Kasar Medoun et Selka-el-Melaha. Le registre des dîmes remontant à une cinquantaine d'années en arrière, par lequel il est prouvé que l'impôt a été de tout temps payé par les tribus au Gouvernement Ottoman, a été en outre présenté.

La ligne de frontière que la Commission Ottomane a tracée est la même, à peu de différence près, qui est indiquée dans onze cartes géographiques de la Tripolitaine et de la Tunisie, dont trois sont Turques, quatre Françaises, et les autres Anglaises, Italiennes, et Allemandes.

Un procès-verbal de l'examen de ces documents a été dressé et signé en double original par les Commissaires Ottomans et Franco-Tunisins. Un exemplaire de ce document a été expédié à Tunis et l'autre à Constantinople.

Le 15 Juin, 1893.

No. 28.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received June 20.)

(No. 18.)

My Lord,

Tunis, June 10, 1893.

WITH reference to my despatch No. 5 of the 27th February last, I have the honour to inform your Lordship that the Commissioners appointed by the Tunisian Government for the delimitation of the Tripolitan frontier have lately returned to Tunis.

It appears that they have not succeeded in arriving at an understanding with the Turkish Commissioners, and that the points in dispute have been referred to their respective Governments.

Sid Allala-el-Djounny, the chief Tunisian Commissioner, has been decorated by the French Government with the "Légion d'Honneur."

I have heard from a reliable source that the Akkara, a Tunisian frontier tribe, mentioned in my despatch No. 12 of the 15th March, had refused to submit to enforced military service, and that the Tunisian authorities deemed it prudent, under present circumstances, to waive the demand in favour of a pecuniary tribute, which the tribe agreed to pay.

The garrison of Gabes has been increased, and considerable cargoes of provisions and ammunition have been lately landed at that port.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 29.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received June 20.)

(No. 18. Confidential)

My Lord,

Tunis, June 14, 1893.

A DAILY newspaper has been started here, entitled, "La Libre Dépêche, Organe des Intérêts Franco-Africains." The chief collaborators in the new publication are men of political and literary distinction in France, who, it is stated, have spared no effort to render their journal a success.

I beg to inclose a leading article extracted from the second number, published on the 10th instant, and headed, "Tunisian Autonomy," which is of itself a clear indication of the bent and object of the promoters.

During M. Massicault's term of office, "La Dépêche Tunisienne" was regarded as the sole organ of the French Residency, which, however, would appear to be no longer the case, and a general impression seems prevalent now that M. Rouvier is, personally, not disinclined to favour the views of many Frenchmen in the Regency, who are working for the abolition of Treaties, and for annexation, although on several occasions he has publicly held language which would indicate the desire of the Government of the Protectorate to maintain the *status quo*, and devote their attention to the development of the resources of the country by commercial and agricultural enterprise.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 30.

The Earl of Rosebery to Sir A. Nicolson.

(No. 158. Confidential.)

Sir,

Foreign Office, June 20, 1893.

THE Italian Ambassador left with me on the 17th instant the Memorandum, of which copy is inclosed,* respecting the presentation of a falsified document by one of the Turkish Commissioners for the Tripolitan boundary.

You will perceive that the account given to the Italian Government attaches

* No. 32.

less importance to the incident than the report from Consul-General Moore which was inclosed in Sir C. Ford's despatch No. 340 of the 5th instant.

Count Tornielli expressed the hope that Her Majesty's Embassy would continue to watch this question.

I am, &c.
(Signed) ROSEBERRY.

No. 31.

Sir Clare Ford to the Earl of Rosebery.—(Received June 23.)

(No. 247.)

My Lord,

Constantinople, June 6, 1893.

I HAVE the honour to forward to your Lordship herewith copy of a despatch which I have received from Her Majesty's Consul-General at Tripoli on the subject of the Tripoli-Tunis boundary.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 31.

Consul-General Moore to Sir Clare Ford.

Sir,

Tripoli, May 30, 1893.

WITH reference to my despatch of the 26th instant, I have the honour to report that the Ottoman members of the Joint Commission for the definition of the Tripoli-Tunis boundary have returned to Tripoli, while the Franco-Tunisian members have gone back to Tunis. No agreement has been arrived at, the French claiming the Wady-Mogta as the boundary, and the Turks a line drawn through the middle of the Lake Bilan. The Commission is presumably dissolved, and the question in dispute will now be settled at Constantinople, whether all the documents, Minutes of proceedings, &c., have been forwarded by both parties.

I hear that the French produced no documentary evidence in support of their contention, whilst the Turks say they have other documents besides the fabricated one: into the history and authorship of this latter the Governor-General is said to be inquiring.

I have, &c.
(Signed) NOEL TEMPLE MOORE.

No. 32.

Sir Clare Ford to the Earl of Rosebery.—(Received June 23.)

(No. 248. Confidential.)

My Lord,

Constantinople, June 7, 1893.

I HAVE the honour to inform your Lordship that the Marquis di Biase, Italian Chargé d'Affaires, called upon me to-day, and spoke on the subject of the delimitation of boundary between Tripoli and Tunis.

At the same time he left in my hands a Memorandum, copy of which is herein inclosed.

The Italian Chargé d'Affaires also read to me a despatch which he had received from his Government, in which the Italian Minister for Foreign Affairs states that, were the Turkish Government to accede to the wishes of the French Government on the delimitation question, the matter would lose its essential character, which is that of a simple confirmation of the frontier-line, and would resolve itself into a modification of the true line which marks the delimitation between Tripoli and Tunis.

The question was one of considerable importance, and, should the Turkish Government show signs of yielding to France in the matter, the Italian Government would greatly desire to receive early information of the fact, in order that they might find themselves in a position to address an appeal on the subject to the Great Powers who are friendly to them.

The Italian Chargé d'Affaires added that he had spoken in the same sense to the Ambassadors of Germany and Austria respectively.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure in No. 32.

Pro-memorandum.

LE Lieutenant-Colonel Rifaat Bey, membre de la Commission Ottomane chargée de la délimitation des territoires Tripoli-Tunis, est parti le 16 Mai de Tripoli pour Constantinople, porteur des procès-verbaux et des documents relatifs aux travaux que la Commission Mixte avait exécutés à Zuara, la décision des frontières ayant été déléguée à Sa Majesté Impériale le Sultan.

La Commission avait le mandat de statuer, au moyen des documents et enquêtes, laquelle des deux frontières, à savoir Mokta Wazan ou bien Biban-Remada, était historiquement la véritable et la plus ancienne. La Commission Ottomane, comme de raison et avec toutes les preuves à l'appui, a soutenu ce qui est conforme au juste droit, que la souveraineté de la Turquie va jusqu'à la ligne Biban-Remada.

Il faudrait insister sur ce point, c'est-à-dire, que, étant démontré à présent le droit de la Turquie d'exercer la pleine souveraineté jusqu'à la ligne Biban-Remada, si la Sublime Porte ne faisait pas valoir efficacement son droit, les opérations de démarcation de frontière perdraient leur caractère d'une simple confirmation de frontière pour prendre celui d'une modification de la ligne de frontière entre la Tripolitaine et la Tunisie.

Pour ce fait les Puissances intéressées au maintien de l'équilibre territorial pourraient demander raison au Gouvernement Ottoman. Au contraire, les mêmes Puissances prêteraient assurément leur appui moral au Gouvernement du Sultan, si celui-ci soutenait son bon droit. Si l'accord entre la Sublime Porte et la France sur cette base se rendait impossible, on devrait suggérer au Gouvernement Ottoman de communiquer aux Puissances amies les conclusions des négociations techniques. Les Puissances amies, en prenant acte de la communication de la Sublime Porte, auraient moyen de fixer sur le terrain diplomatique, dans l'intérêt de la Turquie, les termes de la question.

No. 33.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received June 26.)

(No. 20.)

My Lord,

Tunis, June 20, 1893.

WITH reference to my despatch No. 16 of the 10th instant, I have the honour to inclose a cutting from "La Dépêche Tunisienne" of the 20th instant relating to the delimitation of the frontiers between Tunisia and Tripoli, and to bring under your Lordship's notice the announcement of the "resumption of negotiations between the Porte and the French Government," which, if well founded, would be tantamount to an official acknowledgment by the Turkish Government of the French Protectorate in this country.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 33.

Extract from "La Dépêche Tunisienne" of the 20th June, 1893.

Paris, le 18 Juin.

ON mande de Constantinople à une feuille Vienneuse que la reprise des négociations entre la Porte et le Gouvernement Français concernant la régularisation de la frontière entre la Tunisie et la Tripolitaine paraît prochaine, et le Colonel

Bey, membre de la Commission Mixte instituée à ce sujet, retournera sans doute sous peu à Tripoli, muni de nouvelles instructions.

L'Ambassade de France à Constantinople n'interviendra pas dans ces négociations. La nouvelle que la France voudrait incorporer la ville de Ghadamès dans le territoire Tunisien, est contestée par les cercles bien informés.

No. 34.

The Earl of Rosebery to Sir A. Nicolson.

(No. 59.)

(Telegraphic.) P

Foreign Office, June 30, 1893

TUNIS-TRIPOLI frontier.

According to the "Dépêche Tunisienne" of the 20th June negotiations between French Government and the Porte are about to be resumed, and the return of the Ottoman Commissioner to Tripoli is imminent. Same paper states that no part will be taken in these negotiations by French Embassy at Constantinople.

Ascertain on what foundation this report rests.

No. 35.

Sir A. Nicolson to the Earl of Rosebery.—(Received July 2.)

(No. 109.)

(Telegraphic.) P

Therapia, July 2, 1893, 10.35 A.M.

WITH reference to your Lordship's telegram No. 59 on the subject of the Tunis-Tripoli frontier, I am informed by the Foreign Minister that he and the Minister for War are occupied in studying certain details, on the completion of which the question will be discussed with the French Ambassador, but unofficially. There does not, however, appear to be any question of an immediate resumption of the work on the spot.

No. 36.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received July 3.)

(No. 21. Confidential.)

My Lord,

Tunis, June 27, 1893.

WITH reference to my despatch No. 20 of the 30th instant, I have the honour to inform your Lordship that Major Rebillet, who took part in the Tunis-Tripoli Delimitation Commission as expert appointed by the Beylical Government, called on me lately, and expressed his desire to give me a true version of the incident that led to the failure of the negotiations between the Tunisian and Tripolitan Commissioners. The Major began by saying that he supposed I was aware that the proposal for the delimitation of the frontiers originated with the Turkish Government, in consequence of the frequent recurrence of tribal conflicts as to the rights of pasturage, &c., on the contested territory. He said that no official correspondence on the subject had ever taken place between the Vali and the French Representative, as the Turkish authorities have always avoided committing themselves by any official acknowledgment of the Government of the Protectorate, but the Vali, "who is well known for his French sympathies," has been in the habit of discussing the question verbally with M. Desbrières.

It was thus that the state of affairs on the frontiers became known at Constantinople, and that proposals were made to the French Ambassador for the appointment of a Delimitation Commission composed exclusively of Turkish and Beylical officers.

The Commissioners met on the frontiers in February last, and after an absence of three months returned without having arrived at any understanding.

Major Rebillet then said that the cause of failure in the negotiations was not due to any political interference on either side, but entirely to the production by the Turkish officers of a document purporting to be a Beylical Decree of some antiquity,

discovered in the hands of a Tripolitan frontier tribe, declaring the Bahir-el-Biban to be the limit of the Regency on the sea-coast.*

When the Tunisian Commissioners demanded a further perusal and examination of the Decree, they were informed that it had been returned to Tripoli. Eventually it was reproduced. Major Rebillot then discovered, in the presence of the Turkish Commissioners, that the document had been affixed to another sheet of paper, presumably for its preservation, but, on closer examination, he detected several suspicious saw-shaped marks, which, after being carefully traced, were found to betray the presence of an inserted slip of paper of about seven lines, containing the statement relating to the boundary. The portions of the document above and below the slip contained only the usual heading and ending of a Beylical Decree.

I was assured by the Major that the fraudulent insertion of the words relating to the frontier was so evident, that the Turkish Commissioners were forced to admit that the document had been tampered with. The Turks stated in self-defence that the authorities at Tripoli had received the Decrees from one of the frontier tribes, and that they had always believed it to be an authentic document.

Major Rebillot had heard that Osman Riffat Bey, the expert attached to the Turkish Commission, had been since summoned to Constantinople, that J. Vall of Tripoli had received instructions to suspend the negotiations, and that two persons belonging to the tribe of F. N. were suspected of complicity in the fraud, had been seized and imprisoned in Tripoli.

It is now believed here that the question will not be re-ascertained, and that the boundaries marked in the French Staff Map, of which copies have been handed to the Turkish Commissioners, will be the future boundary of the Regency.

The Turkish Commissioners had also produced French maps, of a date anterior to the occupation, in support of their views as to the line of navigation at Bahir-el-Biban, but the Tunisians declared to admit their validity on account of the vague description of the contested territory, showing that the French surveyors never reached so far south.

Major Rebillot then assured me that the Tunisian claims are chiefly founded on the evidence of the German traveller, Barth, who, in his account of a journey in those regions, mentions the Mocta as the boundary between Tunis and Tripoli.

In reply to my inquiries regarding the territories of Wassan and Dhiba, where tribal conflicts have frequently occurred of late years, the Major gave me to understand that the matter was not discussed by the Commissioners.† He mentioned at the same time that Wassan is generally admitted as Tripolitan territory, but that Dhiba is now inhabited by a tribe of Arabs who were formerly expelled by the Wassinites, and forced to take refuge in the Regency, near Gabes.

"It is therefore our duty," he said, "to protect them and their lands from further persecutions." He also observed that it would be a matter of considerable difficulty to define the frontiers by the division of the tribes paying tribute to the respective Governments of Tripoli and Tunis. They are composed principally of nomads who have been in the habit of moving from one side of the frontier to the other, frequently making common use of large tracts of country for agricultural purposes. They have been always enjoyed a semi-independent existence, paying tribute only when exacted from them by military pressure.

I have, &c.
(Signed) B. DRUMMOND HAY.

No. 37

Sir A. Nicolson to the Earl of Rosebery.—(Received July 7.)

(No. 276. Confidential.)

My Lord,

Therapia, June 21, 1893

THE Italian Charge d'Affaires informed me last night that the Ottoman Commissioner on the Tunis-Tripoli Frontier Commission had terminated his Report to the Council of Ministers on the differences of opinion which had arisen in regard to the delimitation of the boundary, and that the Council would now take the question into

* The Bahir-el-Biban adjacent the Sebha-hou-Djemat, mentioned in my Confidential Report of March 2, 1893, under "Definition of former Boundary."—D. H.

† See my Report of March 2, 1893, in No. 12 of March 14, under heading "Frontier question;" also despatch No. 60 of October 7, 1892.—D. H.

consideration. Marquis di Bisio said that he had been of late urging the Grand Vizier to stand firm, and that he had received satisfactory assurances on that head; his Highness having remarked that the Ottoman Government would be found to be even more Turk than the Italians.

I have, &c.
(Signed) A. NICOLSON

No. 38.

Sir A. Nicolson to the Earl of Rosebery.—(Received July 7)

(No. 298.)

My Lord,

Therapia, July 2, 1893.

I INQUIRED of the Minister for Foreign Affairs yesterday what was the exact position of the negotiations in regard to the frontier between Tunis and Tripoli. His Excellency said that there were certain details in regard to the case of the Ottoman Government which were being studied between the Minister for War and himself, and that when these were concluded he would then discuss the question unofficially with the French Ambassador.

I said that I trusted the Ottoman Government would stand firm on the line which they had proposed. His Excellency said they would not cede an inch of territory and were determined to uphold what they considered their rights. I am a little sceptical as to the steadfastness of the Ottoman Government if they are hard pressed by the French Embassy. I inquired of Said Pasha whether there was any intention of resuming work on the frontier, and he replied that there was not for the moment.

I have, &c.
(Signed) A. NICOLSON

No. 39.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received July 11.)

(No. 32.)

My Lord,

Tunis, July 3, 1893.

WITH reference to my despatch No. 32, Commercial, of the 3rd June last, transmitting to your Lordship a copy of a Beylical Decree instituting a Mining Law for the Regency of Tunis, I have the honour to inclose copy of a letter addressed to me by Mr. G. Mifsud, a British subject, complaining of the prejudicial effects of the new Regulations, and begging me to intercede with the Tunisian Government on his behalf.

Mr. Mifsud states that he purchased in 1887 a large and valuable property, situated in the north of the Regency, consisting principally of mines and forests. On the 5th April last he applied in the usual form to the Tunisian Government for permission to explore the mines on his property. He has received no reply to his demand, but in the meantime the new Decree has been proclaimed, and he fears that the authorities intend to subject him to its regulations, although he submitted his application prior to their issue, and in conformity with the usage hitherto observed in this country.

Mr. Mifsud, who is a considerable land-owner in this country, bases his objections to the new law on the assumption of the Tunisian Government, by Article I of the Decree, that the mines of the Regency are the property of the State.

I beg to inclose copies of the "Journal Officiel Tunisien" in which the Decree is published, and to draw attention to the above-mentioned clause and to the Articles I have underlined,* which appear to be especially damaging to the interests of proprietors who have bought and sold lands under the universal conviction that, with the exception of gold and silver, everything found above or below the surface of an estate belongs to the proprietor.

According to Article II of the Convention with the Tunisian Government relative to the holding of real property by British subjects in Tunisia, it is stipulated that "the latter shall discharge in general the obligations which are by law attached to, and are discharged by, the like property held by natives."

* Articles 1, 12, 16, 17, 18, and 19

Article XVII accorde to British subjects holding immovable property in the Regency the same immunities and privileges, &c., that are accorded to Tunisian proprietors, and provides for "the confirmation and maintenance of the organic laws as being necessary for the more efficient protection of immovable property."

After careful investigation, I have ascertained that only two legislative documents exist relating to the mines of the Regency. These are the Tunisian Code of Civil and Criminal Law, Chapter XII, Article 512, established in the year 1862, and a Circular of the Tunisian Prime Minister, dated 9 Moharrem, 1299 (1882).

The Article of the Tunisian Code, of which I enclose a copy and translation, states that "every purchaser of land who shall discover a mine of any metal whatsoever shall be the absolute owner of the property, but if the said mine contains gold or silver it shall belong to the Government, who will pay to the proprietor double the value of the land."

It is a noteworthy fact that in the collection of Beylical Decrees translated into French, and edited by M. Bompard, Secretary of Embassy, formerly attached to the Residency, Article 512 has been omitted. I only succeeded in discovering this by reference to the original Arabic version lying in the archives of the Consulate-General.

I also inclose copy of the French translation of the Circular of the Prime Minister, dated 9 Moharrem, 1299 (1882), issued subsequent to the French occupation, which states: "That it had come to the knowledge of the Beylical Government that certain foreigners were seeking to dispose of lands belonging to the State, as well as mines and forests, under the pretence of having obtained them by purchase or otherwise from natives. Notice was therefore given that such persons had no claims whatever, either to the State domains or to the mines and forests, these being the property of the Government, and forming a branch of the revenues."

The Tunisian Code was nevertheless in full force at the time this order was made, and still continues to be so. I conclude, therefore, that the Tunisian Government overlooked that fact, both at the time of issuing the Ministerial Order in 1882 and in framing the present Decree, and that Mr. Mifsud and other British subjects holding land in Tunis have lawful grounds for resenting the enforcement of the injurious regulations introduced by the Government of the Protectorate.

I have deemed it advisable to await your Lordship's instructions before communicating with the French Resident on the subject.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure 1 in No. 39

Mr. G. Mifsud to Consul-General Drummond Hay.

M le Consul-Général,

Tunis, le 16 Juin, 1893.

LE Soussigné, Joseph Mifsud, sujet Anglo-Maltaise, a l'honneur de recourir respectueusement à votre haute et bienveillante intervention auprès du Gouvernement de Son Altesse le Bey, et auprès du Représentant à Tunis du Protectorat Français en raison de la situation qui lui est faite par le récent Décret du 10 Mai, 1893, sur la propriété des mines dans la Régence.

Sur la foi des Traités et sous l'empire d'une législation locale nettement établie, le Soussigné a acheté en 1887 le grand domaine du Korib, situé à 10 kilom. de Tebourouk, d'une étendue de 14,000 hectares, dont la valeur, estimée à un million, consiste surtout en mines et en forêts.

Pour se conformer à l'usage adopté à défaut de législation spéciale par le Gouvernement Tunisien, le Soussigné a, de concert avec M. Fortuné Fabre, son co-intéressé, adressé le 5 Avril dernier une demande de permis de recherches sur ses propres terres, joignant à cette demande, fait en triple expédition, trois exemplaires du plan du Korib, cette demande est restée sans réponse, et sur ces entrefaites a paru le nouveau Décret du 10 Mai, 1893. Le Soussigné craint que l'on ne s'appuie sur ce Décret pour refuser de faire droit à sa demande qui cependant a été faite antérieurement.

En conséquence, il se trouve obligé de vous exposer que le Décret du 10 Mai, 1893, aurait pour effet, si les termes en étaient maintenus, de faire reconnaître dorénavant comme propriété de l'Etat, les mines de la Régence. Ce serait une véritable spoliation, une confiscation commise par l'Etat au préjudice des particuliers. Le

Soussigné est intéressé à réclamer la protection de son Gouvernement, et il espère que vous ne laisserez pas dépouiller de son bien légitimement acquis, un sujet fidèle et respectueux de Sa Majesté Britannique.

Veuillez, &c.
(Signé) G. MIFSUD.

Inclosure 2 in No. 39.

Extract from the "Journal Officiel Tunisien" of May 18, 1893.

Décret du 10 Mai, 1893 (24 Chaoual, 1310).

Louages à Dix.

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunis,
Considérant qu'il y a lieu dans l'intérêt du développement de la richesse minérale en Tunisie de réglementer les travaux des recherches de mines;
Sur le rapport et la proposition de notre Directeur-Général des Travaux Publics,

Avons pris le Décret suivant:—

Article 1^{er}. Les mines étant propriétés domaniales, nul ne pourra faire des recherches de mines sans une autorisation spéciale du Gouvernement Tunisien donnée par Arrêté de notre Directeur-Général des Travaux Publics.

Cette interdiction ne porte aucune atteinte au droit de tout propriétaire de pratiquer des fouilles ou sondages sur son propre terrain. Mais ces travaux ne pourront être considérés comme ayant pour objet des recherches de mines qu'autant que celui qui les effectue sera muni de l'autorisation administrative.

Art. 2. Sont considérées comme mines

§ 1. Les gîtes de

(1.) Houilles, lignites et tous autres combustibles fossiles (la tourbe exceptée), gra, hie, bitume, pétrole et autres huiles minérales.

(2.) Les substances métallifères, telles que: minerais d'or, argent, platine, mercure, plomb, fer, cuivre, étain, zinc, bismuth, cobalt, nickel, manganèse, titane, antimoine, molybdène, tungstène, chrome.

(3.) Soufre et arsenic, soit seuls, soit combinés avec les métaux, ainsi et sels solubles à base des métaux indiqués au (2).

4. Sels gemmes et autres sels associés dans le même gisement

§ 2. Les sources salées.

Art. 3. Sont considérées comme appartenant aux propriétaires du sol, les gîtes non classés comme mines, tels que: ardoises, grès, marbres, granits, basaltes, anes, les pierres à bâtir de toute nature, les pierres à chaux, à plâtre, les pouzzolanes, sables, argiles, pierres à fusil, kaolin, terre à foulon et à poteries, les substances terreuses et cailloux de toute nature, les amendements ou engrais.

Art. 4. En cas de contestation sur la classification légale d'un gîte de substance minérale ou fossile, il est statué par un Décret de Son Altesse le Bey.

Art. 5. Toute demande de permis de recherches doit être adressée en triple expédition au Directeur-Général des Travaux Publics qui en donne récépissé.

Elle est inscrite sous son numéro d'ordre aux dates et heures de son dépôt sur un registre spécial tenu à la disposition du public.

A la demande doivent être annexés

(1.) Un plan des lieux à l'échelle de 1:25,000 donnant, avec un aperçu général de la configuration du terrain, l'emplacement des affleurements, le tracé exact du périmètre demandé.

Ce périmètre devra se rapporter à des points fixes, tels que: points géodésiques, sources, marabouts, &c.

Le périmètre demandé ne devra pas excéder 300 hectares et deux de ses points ne pourront être distants de plus de 3,000 mètres.

(2.) Des échantillons de minerais numérotés; les numéros se rapportant aux affleurements indiqués sur le plan.

Art. 6. Dans la quinzaine du dépôt de la demande en permis de recherches, le pétitionnaire devra, sous peine de perdre son droit de priorité, justifier qu'il a fait élection de domicile en Tunisie.

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Art. 7. Le Directeur-Général des Travaux Publics délivre suivant l'ordre de priorité le permis de recherches pour les terrains reconnus libres dans le périmètre demandé.

Ce permis de recherches ne peut être cédé à un tiers sans autorisation donnée par Arrêté du Directeur-Général des Travaux Publics.

Il donne droit exclusif à son titulaire de rechercher sur les terrains pour lesquels il a été délivré les mines dont la nature a été déterminée par le permis de recherches.

Il est accordé pour deux années.

Il peut être prorogé sur la demande de l'explorateur.

Si dans un périmètre déjà accordé par l'Administration, pour une mine déterminée, il vient à se produire une demande en permis de recherches pour une mine de nature toute différente, l'Administration arrêtera dans le nouveau permis de recherches toutes les dispositions qu'elle croira utiles pour éviter, autant que possible, que les deux concessionnaires se gênent mutuellement dans leurs recherches.

Art. 8. Si dans la première année l'explorateur n'a pas commencé des travaux réguliers de recherches, s'il a suspendu ses travaux sans aucune cause reconnue légitime, ou s'il a contravenu aux dispositions imposées par le présent Décret ou par l'Arrêté d'autorisation de recherches, il pourra être déchu de son droit de recherches. Dans ce cas, il ne pourra lui être accordé, pour les mêmes terrains et pour les mêmes gisements, un nouveau permis de recherches dans les trois années qui suivront la date de l'Arrêté de déchéance.

Art. 9. Les travaux de recherches sont soumis à la surveillance de l'Administration qui peut, dans tous les cas, ordonner ou supprimer tels travaux dans un but de sécurité pour les personnes ou de conservation pour la mine, les voies publiques, les sources, canaux, villages, etc.

Art. 10. Tout permis de recherches est annulé de plein droit si les terrains pour lesquels il a été délivré viennent à être englobés dans le périmètre d'une Concession de mine de même nature.

Art. 11. L'explorateur ne pourra disposer des produits de ses recherches qu'après une autorisation spéciale du Directeur-Général des Travaux Publics.

Art. 12. Les frais d'enquête et de visite de mine et les frais d'analyses seront à la charge du pétitionnaire. Un Arrêté du Directeur-Général des Travaux Publics fixera le mode de règlement de ces frais.

Art. 13. Lorsque les travaux de recherches ou d'exploitation nécessiteront l'occupation temporaire d'un terrain, cette occupation sera autorisée, à défaut d'entente avec le propriétaire superficiaire, par un Arrêté du Directeur-Général des Travaux Publics.

L'Arrêté indiquera les limites des terrains à occuper, leur contenance, le nom et le domicile du ou des propriétaires ou présumés tels.

Ne pourront être occupés temporairement, les cours, vergers et jardins attenants aux habitations et entourés de clôtures fixes.

Art. 14. Le Directeur-Général des Travaux Publics envoie ampliation de son Arrêté à l'Ingénieur des Mines de la Régence et au Caïd du territoire ou au Président de la Municipalité.

L'Ingénieur des Mines en remet une copie certifiée à l'explorateur ou au Concessionnaire.

Le Caïd ou le Président de la Municipalité, suivant le cas, notifie l'Arrêté au propriétaire ou à son représentant.

Art. 15. En cas d'arrangements à l'amiable entre le propriétaire et l'explorateur ou le concessionnaire, ce dernier est tenu de présenter à l'Ingénieur des Mines, toutes les fois qu'il en est requis, le consentement écrit du propriétaire ou le traité qu'il a passé avec lui.

Art. 16. A défaut de convention amiable, l'Ingénieur des Mines, préalablement à toute occupation du terrain désigné, fait connaître par écrit au Caïd du territoire ou au Président de la Municipalité, suivant le cas, le jour auquel l'explorateur ou le concessionnaire se rendra sur les lieux ou s'y fera représenter.

Dans les trois jours qui suivent la réception de cet avis, le Caïd ou le Président de la Municipalité en accuse réception à l'Administration des Mines et notifie cette convocation au propriétaire ou, s'il n'habite pas sur le territoire ou dans la commune, à son fermier, locataire, ou gérant.

Il l'invite en même temps à désigner un expert pour procéder, contradictoirement avec celui qui aura été choisi par l'explorateur ou le concessionnaire, à la constatation de l'état des lieux.

Aux deux experts ci-dessus indiqués est adjoint l'Ingénieur des Mines ou son délégué.

Entre la notification faite de la convocation et la visite des lieux, il doit y avoir, dans tous les cas, un délai de dix jours au moins.

Art. 17. Au jour fixé, les trois experts procèdent à leurs opérations. Ils évaluent pour la première année le produit net probable des terrains à occuper. Ils font mention de cette évaluation sur le procès-verbal de constat des lieux. L'indemnité préalable est fixée au double de cette somme. Elle est réglée annuellement.

Art. 18. Les explorateurs ou concessionnaires ne pourront commencer leurs travaux qu'après avoir justifié du paiement aux propriétaires du sol de l'indemnité préalable.

Si les propriétaires refusent de recevoir cette somme, les explorateurs ou concessionnaires les assigneront en référé pour voir ordonner la consignation de la dite somme. Dans ce cas, l'occupation ne pourra être autorisée qu'après la consignation.

Les explorateurs seront tenus en outre de fournir caution au propriétaire du sol, si ce dernier l'exige, en vue de la réparation de tous autres dommages pouvant résulter de l'exécution des travaux de recherches. Cette caution sera fixée par le Tribunal Civil.

Art. 19. Lorsque l'occupation temporaire de nous faite privera le propriétaire de la jouissance du sol pendant plus de trois mois, et si, après l'achèvement des travaux, les terrains occupés ne seront plus propres à la culture, les propriétaires pourront exiger la restitution du sol.

Le terrain à acquiescer ainsi sera toujours estimé au double de la valeur qu'il avait avant l'occupation.

Les contestations qui pourraient s'élever entre les intéressés tant pour la surface à acquiescer que pour le prix d'acquisition seront soumises aux Tribunaux civils.

Art. 20. Les contraventions au présent Décret pour recherches ou exploitations illicites, entraves aux travaux régulièrement autorisés, seront constatées et dénoncées par les Agents de l'Administration des Mines.

Leurs procès-verbaux seront déposés dans le délai de trois jours devant le Juge de Paix ou le Contrôleur Civil le plus proche.

Les Tribunaux prononceront contre les délinquants une amende de 50 fr au moins et de 500 fr au plus.

En cas de récidive dans les deux mois de la condamnation, les amendes seront doublées et une détention pourra être prononcée contre les délinquants sans que la durée de cette peine puisse être inférieure à huit jours et supérieure à trois mois.

Dans tous les cas, les Tribunaux pourront prononcer la fermeture des travaux ou exploitations illicites.

Art. 21. Notre Directeur-Général des Travaux Publics est chargé de l'exécution du présent Décret.

Vu pour promulgation et mise à exécution, Tunis, le 10 Mai, 1903.

Le Résident-Général de la République Française à Tunis,

(Signé) CH. ROUVILLÉ.

Inclusure 3 in N. 30

Article 512, Chapter XII, of the Tunisian Civil and Criminal Code, April 26, 1865

TOUT acheteur de terrain qui y aura trouvé une mine d'un métal quelconque sera la propriété absolue du propriétaire,* mais si cette mine sera d'or ou d'argent elle appartient au Gouvernement, qui lui payera la valeur double et davantage du terrain.

Inclusure 4 in No. 30.

Arrêté du 9 Moharrem, 1299 (1^{er} Décembre, 1881), sur les Propriétés Domaniales, des Mines, et les Forêts (avis Résidentiel 15 Décembre, 1884).

LE Gouvernement de Son Altesse a appris que des étrangers cherchent à disposer de terrains appartenant à l'Etat, ainsi que de mines et forêts, prétendant les avoir obtenus, par achat ou autrement, d'indigènes des tribus.

* This ought surely to be "sera le propriétaire absolu de la propriété?"—W. E. D.

Le Gouvernement doit, en conséquence, faire connaître que les individus dont il s'agit n'ont aucun droit sur les terrains domaniaux ni sur les mines et forêts, celles-ci étant la propriété de l'État et constituant une branche de ses revenus.

Pour ce motif, toute aliénation de cette nature est nulle et non avenue.

Cet Avis sera publié et les notaires seront avisés qu'ils ne peuvent passer aucun acte de cette nature sans l'autorisation du Gouvernement.

Le Premier Ministre,
(Signé) MOHAMED.

No. 40.

Memorandum by Sir E. Hertslet on the right of British Subjects to hold Mines in Tunis.

IN 1861, an Organic Law or Constitution, for Tunis was promulgated, Article XI of which ran as follows:—

"Les étrangers appartenant aux divers Gouvernements qui voudront s'établir dans nos États, pourront acheter toute sorte de propriétés, telles que maisons, jardins, terres, à l'égal des habitants du pays, à la condition qu'ils seront soumis aux Règlements existants ou qui pourront être établis, sans qu'ils puissent s'y soustraire.

"Il n'y aura pas la moindre différence à leur égard dans les Règlements du pays," &c.

In the same year (1861) a Tunisian Civil and Criminal Code was issued, printed copies of which, in Arabic and in translation, were forwarded to this Office by Mr. Wood, Her Majesty's Agent and Consul-General.

Mr. R. D. Hay now sends home an extract from that Code, which runs as follows:—

"Article 512, Chapter XII. Tout acheteur de terrain qui y aura trouvé une mine d'un métal quelconque aura la propriété absolue du propriétaire, mais si cette mine sera d'or ou d'argent elle appartient au Gouvernement, qui lui payera la valeur double et davantage du terrain."

These two important documents were inaugurated with great ceremony at the Palace of the Bey, the former on the 23rd, and the latter on the 24th, April, 1861.

On the 10th October, 1863, a Convention was concluded between the British and Tunisian Governments relative to the holding of real property by British subjects in Tunis.

It was stated in the preamble that, by Article XI of the Organic Law of the Regency of Tunis, the British had secured the right to possess immovable property so soon as their respective Governments should enter into an arrangement with the Government of Tunis establishing the conditions which should entitle them to exercise the right conceded to them.

It was then stipulated (among other things) that it was therefore agreed that for British subjects to purchase and possess immovable property of every description in the Regency of Tunis (Article IV), that British subjects possessing immovable property should pay the same municipal and fiscal taxes which were paid by natives, and should discharge in general the obligations which were by law attached to, and were discharged by, the like property held by natives; that British subjects holding immovable property should be free to sell, dispose of and convey their property to natives; but that they should not sell, transfer, or convey their property to foreigners, except to subjects of such friendly Governments as had by Convention or other Agreement with the Bey, acquired for their subjects the right to purchase and hold immovable property in the Regency of Tunis (Article V); that no British subject should be forced to dispose of his immovable property except for objects of public utility (Article XI); that whenever a British subject should desire to introduce machinery in the Regency of Tunis he should be bound to apply for and obtain the permission of the Bey for that purpose (Article XIV); and that British subjects holding immovable property in the Regency of Tunis should, in conforming to the local laws and Regulations, exercise and enjoy the same immunities, privileges, and rights that were accorded to Tunisian proprietors, and be entitled to all the immunities, privileges, and exemptions accorded, or to be thereafter accorded, to the subjects or citizens of the most favoured nation (Article XVII).

On the 10th July, 1875, a Commercial Convention was concluded between this country and Tunis, by Articles V, XVII, and XXII of which the Convention of the 10th October, 1863, respecting real property, was expressly confirmed.

"Archives
Diplomatiques,"
Tome iv, p. 378.

Mr. Wood, No. 7,
March 15, 1861,
Ibid., No.
April 29, 1861.

Hertslet's Treaties,
vol. 14, p. 541.

On the 31st October, 1868, Mr. Wood reported that he had succeeded in obtaining from the Tunisian Government the Concession of the valuable lead mines, called "Gebel Resas," for Mr. Lindo, of London, in association with a French and an Italian gentleman, who were empowered to form a Company for the purpose of working them. He said the Concession was for a period of sixty years, and that it granted to the concessionaires the faculty to introduce machinery and other appliances necessary for carrying on mining operations on an extensive scale.

He also said that the competition amongst various parties for the Concession of the Gebel Resas mine had always been very great, and that the steps taken in the matter by Her Majesty's Consul-General had been invariably watched with much jealousy, but that it had ultimately succeeded in making such arrangements with reference to it as to remove any just ground for opposition to the introduction of British capital in the Regency for the development of its mineral resources.

Lord Stanley expressed to Mr. Wood his satisfaction at reading this despatch.

In 1873 the French Government sent an engineer to examine and report upon the mines in the Regency of Tunis, and Mr. Wood, in his correspondence of 1876, alluded to the fact of the lead mine of Djebel having been transferred from the London Bank of Tunis to a French Company, and to a rumour, which was current in Italy, that as the telegraphs, railways, and mines either were already, or would soon be, in French hands.

On the 12th May 1881, a Treaty was concluded between France and Tunis, by which the Regency was placed under French protection, but it contained the following Article:—

"V. Le Gouvernement de la République Française se porte garant de l'exécution des Traités relatifs aux capitulations entre le Gouvernement de la Régence et les diverses Puissances Européennes;" and notes were exchanged between the British and French Governments in the same month to the same effect; the Convention of the 10th July, 1875 being expressly mentioned in the British note.

Mr. D. Hay now states that, on the 1st December, 1881, a "Circular" was issued by the Tunisian Prime Minister upon the subject of mines and forests, and that it ran thus:—

"Le Gouvernement de Son Altesse a appris que des étrangers cherchent à disposer de terrains appartenant à l'État, ainsi que de mines et forêts, prétendant les avoir obtenus, par achat ou autrement, d'un grand des tribus.

"Le Gouvernement doit en conséquence faire connaître que les individus dont il s'agit n'ont aucun droit sur les terrains domaniaux ni sur les mines et forêts, celles-ci étant la propriété de l'État et constituant une branche de ses revenus.

"Pour ce motif, toute aliénation de cette nature est nulle et non avenue."

The French Tribunals in Tunis maintain that all the Bey's Decrees sanctioned by the French Resident have the force of French law within the Regency, and that all foreigners equally with French citizens are subject to them, but this must be subject to the condition that they are not in any way contrary to express Treaty stipulations.

Moreover, the Circular of the 1st December, 1881, apparently was not a Beylical Decree, although it is headed "Arrêté."

The mine of Korih, now in question (but containing what metals is not stated), was purchased in 1887 on the faith of Treaties and Tunisian laws then in force, but when Mr. Mifsud, an Anglo-Maltese, addressed a letter on the subject of its working to the Tunisian Government on the 5th April last, he received no reply, but five weeks after, that is to say, on the 10th May, there appeared a Beylical Decree, approved by the French Resident, which commenced by saying:—

Article 1. Les mines et propriétés domaniales, nul ne pourra faire des recherches de mines sans l'autorisation spéciale du Gouvernement Tunisien donnée par Arrêté de votre Excellence Général des Travaux Publics."

But this Decree, presuming that it is not a gold or silver mine, is, as is pointed out by Mr. D. Hay, opposed to the Civil and Criminal Code of Tunis of 1861, and its provisions, if carried into effect, would seriously prejudice Mr. Mifsud's interests.

I think, therefore, the attention of the Tunisian Government might be called to some of the facts stated above, and especially to the Article of the Civil and Criminal Code which M. Bompard has omitted from his book.

Foreign Office, July 12, 1893.

(Signed) E. HERTSLET.

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Mr. Wood, No. 26,
October 31, 1868.

To Mr. Wood,
No. 17,
November 10, 1868.

Mr. Wood, No. 28,
August 11, 1873.

Ibid., No. 32,
August 12, 1876.

State Papers,
vol. lxxiv, p. 247.

Hertslet's Treaties,
vol. 17, p. 1160.

Mr. D. Hay,
No. 22, July 3,
1883.

To Acting Consul
Carbonara, No. 48,
November 6, 1889.

Inclosure 1 in
Mr. Hay's No. 22.

Inclosure 2 in
Mr. Hay's No. 22
of July 3, 1893.

No. 41

Consul-General Drummond Hay to the Earl of Rosebery.—(Received July 15.)

(No. 23.)

My Lord,

Tunis, July 10, 1893.

WITH reference to my despatch No. 9 of the 7th March, I have the honour to inform your Lordship that the Vice-Consuls at Suse and Sfax reported to me, on my return to Tunis last month, that the Forch "Contrôleurs Civils" at those ports had, in pursuance of instructions from the Resident, made fresh inquiries into the claims of the dismissed tobaccoists.

The Vice-Consuls, who were invited to take part in the investigation at each port, stated that the results were favourable to the tobaccoists.

These were divided by the "Contrôleurs" into two categories, and declared, with few exceptions, deserving of compensation.

I therefore mentioned to Mr. Rouvier on the 7th instant that I had received news from the coast which led me to hope that this pending question would soon be satisfactorily settled.

He gave me to understand, in reply, that such was the case, and that the claims would receive his early attention.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 42.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received July 24.)

(No. 25.)

My Lord,

Tunis, July 18, 1893.

I HAVE the honour to report that the anniversary of the French Republic was celebrated here on the 14th instant by a review of the French troops garrisoned at Tunis, in the presence of the Bey, the Resident, the members of the Tunisian Government, and the Consular Body. M. Rouvier subsequently held a reception, largely attended by French and native Notables. Addresses were delivered by the Presidents of the Chamber of Commerce and of Agriculture.

In his reply, the Resident dwelt at some length on the question of the Tunisian railways, and expressed a hope that it would be satisfactorily solved by the French Parliament. He also held out prospects of improvements being effected at the ports of Suse and Sfax and in the postal service between Marseilles and Tunis.

I have remarked on this and other public occasions the pointed regard and deference shown by the present Resident to the Bey. He also appears inclined to cultivate more courteous relations with the foreign Representatives than has been the case of late years.

I have, &c.
(Signed) R. DRUMMOND HAY

No. 43.

Foreign Office to Consul-General Drummond Hay.

(No. 8.)

Sir,

Foreign Office, July 28, 1893.

LORD ROSEBERY has had before him your despatch No. 22 of the 3rd instant, reporting on a complaint made by a Mr. G. Mifsud of the prejudice caused to his interests by certain mining Regulations recently instituted for the Regency of Tunis.

The matter appears to his Lordship to be one which may properly be made the subject of representation to the Tunisian Government, and I am accordingly to instruct you to bring the circumstances of the case to the notice of the French Resident.

In doing so, you should call attention to the following documents, which concern the rights and obligations of British subjects holding real property in Tunis:—

1. The Organic Law or Constitution of Tunis of 1861, Article 11.

2. The Civil and Criminal Code of Tunis of 1881, Article 512, Chapter XII.*

3. The Convention between this country and Tunis of the 10th October, 1863, relative to the tenure of immovable property by British subjects in Tunis, and especially Articles I, V, VI, XIV, and XVII.

4. The Commercial Convention between this country and Tunis of the 19th July, 1875, and especially Articles V, XVII, and XLII, confirming the Convention of the 10th October, 1863, and

5. The Treaty between France and Tunis of the 12th May, 1881, and the notes which were exchanged in the same month between the British and French Governments, recording the fact that the Treaties then existing between Tunis and other Powers were confirmed.

You should then point out that the Circular of the Tunisian Prime Minister of 9 Moharram, 1290 (1882) (which is referred to in your despatch), could not override or abrogate these Laws and Treaty stipulations, and you should express a hope that the Beylical Decree of the 10th May, 1893, which, if carried into effect, would gravely prejudice the interests of British subjects holding property in Tunis, may not be enforced against them, that their mining privileges may be left untouched so long as the question is not one of the possession of gold or silver mines.

For your further guidance in connection with this matter, I am to draw your attention to the correspondence which passed in 1893, as noted in the margin,† relative to the grant of a Concession of the lead mines of Gebail Reana to Mr. Lindo, of London.

I am, &c.
(Signed) P. CURRIE.

No. 44.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received August 28.)

(No. 27.)

My Lord,

Tunis, August 21, 1893.

I HAVE the honour to enclose two cuttings from the "Dépêche Tunisoise" and the "Libre Dépêche" of the 19th instant, relating to the port of Bizerta‡

The latter newspaper announces that M. Rouvier has demanded and obtained the authority of the French Government to transform Bizerta into a military port. Orders are stated to have been issued to the authorities on the 15th instant for the commencement of the works, which it is estimated will cost 15,000,000 fr.

The remarks regarding the strategical positions refer to Mr. Terence Bourke's property Ben Negro, where, as I have shown in previous despatches, sites have been chosen for the erection of two fortresses commanding the entrance to the canal, and the approaches by land from the east along the sea-coast.

The publication of this article simultaneously with the appearance in the "Dépêche Tunisoise" of extracts from "Le Jour" on the same subject, gives grounds for believing that the report may be well founded.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 45.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received September 2.)

(No. 28.)

My Lord,

Tunis, August 24, 1893.

WITH reference to my despatch of the 23rd August, I am informed that the French Government are buying up land on the shores of Bizerta inland sea for the construction of an arsenal. The land borders a bay on the south-west coast-line about

* N.B.—In the translation of this Article, enclosed in your No. 22 of the 3rd instant, it would appear that the words "sera la propriété absolue du propriétaire" should read "sera la propriété absolue de la propriété."

† Mr. Wood, No. 6, October 31, to date, No. 17, November 10, 1893.

‡ Not printed.

3 kilom. south of the mouth of the River Tinja, which flows from the Lagoon Tshkil; it measures about 5 kilom. long by 5 broad, and is owned by two natives. The site can be traced on a map of large scale showing the entire sea. French torpedo-boats have been observed sounding the bay. It is reported that the depth is great about 20 yards from the shore, and that traces of an ancient harbour have been found in the bay.

I have, &c.
(Signed) R. DRUMMOND HAY

No. 46.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received September 4.)

(No. 20.)

My Lord,

Tunis, August 30, 1893.

WITH reference to my despatches No. 40 of the 31st August, 1891, and No. 27 of the 21st instant, a report is current here, which I believe to be well authenticated, that four guns of 30 centim. calibre have arrived at Bizerta from Manouba, accompanied by six waggons of ammunition, and that others are shortly expected there.

The torpedo-boats have been removed from their former station to an anchorage in the new port, and preparations are being made for the transfer of the powder and torpedo magazines to a more convenient position on the lake.

A considerable portion of the strategical railroad from Tunis to Bizerta will be completed in the early part of next year, and the works of the port are being actively pushed forward.

It is therefore probable that the military authorities have undertaken to erect certain fortifications for the defence of the new port when opened to navigation.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 47

Consul-General Drummond-Hay to the Earl of Rosebery.—(Received September 11.)

(No. 31.)

My Lord,

Tunis, September 6, 1893.

A BEYLICAL Decree, dated the 6th May of this year, was published on the 3rd instant, empowering the Government to seize and suppress local newspapers in the Arabic and Hebrew tongues when they contain articles or expressions of seditious tendency, and rendering penal any attempt to defy the law.

This measure has been deemed necessary on account of articles that have frequently appeared in two Tunisian Arabic journals, "El Mobacher-el-Tunis," and "El Montader," seeking to foster among the Mohammedan population a spirit of revolt against the Government of the Protectorate, chiefly on account of the imposition of the "medjbs" and other arbitrary taxes.

The "Mobacher" was short lived, but "El Montader," which supplanted it, is better managed, and more dangerous.

According to the "Dépêche Tunisienne," the revolutionary articles in "El Montader" are inspired by an obscure Frenchman named Goguyer, formerly military interpreter to the army in Algeria, and well acquainted with the language and customs of this country.

He is supposed to be actuated by ambition in his treachery, and to imagine that the restoration of the Beys to power would lead to high office for himself as a reward for his services.

Much harm has undoubtedly already been done by the rousing of rebellious feelings among the native and exotic Mussulman population.

During the festivities in May to celebrate the opening of the new port of Tunis, a serious quarrel arose between Mohammedans and Jews, when only the personal influence of the native Kaid and the presence of the troops prevented a rising.

No details of the occurrence were allowed to transpire, but it is generally known that blood was spilt, and that at one moment matters were grave.

Several highway robberies and murders have occurred lately in different parts of the country, including the vicinity of Tunis but some of the local crimes may be attributed to the presence of numerous bad characters belonging to Sicily, Sardinia, and Malta, who find Tunis a convenient refuge when fleeing from justice.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 48.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received September 15.)

(No. 32.)

My Lord,

Tunis, September 11, 1893.

I HAVE the honour to transmit to your Lordship herewith copies of a Beylical Decree* extracted from the "Journal Officiel Tunisien" of the 31st August relating to the expropriation by the Tunisian Government, in behalf of the Minister for War, of several plots of land at Bizerta.

I have ascertained that Dar-el-Candia, the land in question, is situated on the highest summit of the hills to the west of the port, and from all accounts it has probably been selected as a suitable position for one of the projected fortifications of the new port.

I hope to furnish your Lordship shortly with more precise information as to the position of the hill, and the intention of the military authorities with regard to the land.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 49.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received September 27.)

(No. 34.)

My Lord,

Tunis, September 21, 1893.

I HAVE the honour to inform your Lordship that the autumn manoeuvres of the French Brigade of Occupation will this year assume a more formal character than has hitherto been the case. They will take place at Tarf-ech-Chena, close to Medjex-el-Bab, a station on the Tunis-Algeria Railway and the River Medjerch. A column, concentrated at Dj. el-Dia, near Sasa, composed of the 4th Tirailleurs, a mounted battery, and a squadron of Chasseurs d'Afrique, &c., will march on the 2nd October towards Wad Zergun via the Pass of El-Boukanda over the Zaghouan range. This force will be opposed by the Tunis column, consisting of three battalions of the 4th Regiment of Zouaves, a squadron of Chasseurs d'Afrique, and a mounted battery, &c.

An engagement will take place on the 5th October at Tarf-ech-Chena. The troops, numbering about 5,000, will then be formed into one column under the command of General Leclerc, and the manoeuvres will be executed in that neighbourhood, terminating on the 10th October with a grand review in the plains of Medjex-el-Bab.

In consequence of the great distance from Tunis, the Gabes column will manoeuvre separately in the district lying between the coast and el-Aynicha.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 50.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received September 28.)

(No. 33. Secret.)

My Lord,

Tunis, September 20, 1893.

WITH reference to my despatch No. 32 of the 11th instant, I have the honour to state that the hill at Bizerta, called Dar-el-Candia, has been expropriated by the Tunisian Government for the construction of a fortification which will dominate the entrance to the new harbour.

* Not printed.

With regard to the exact position of the projected defences I beg to refer your Lordship to my despatch No. 52, Secret, of the 15th August, 1892, Inclosure No 1, Section 2, F Battery R.G.X.

The works of the port have made considerable progress. The northern jetty now measures over 1,000 metres, and will be completed this autumn.

The eastern jetty, described in my despatch No. 33 of the 25th May, 1892, has already attained a length of 310 metres, and will be constructed with greater rapidity when the materials now employed in forming the other jetty are no longer required for that purpose.

I have, &c.
(Signed) H. DRUMMOND HAY.

No. 51.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received October 8.)

(No. 35.)

My Lord,

Tunis, September 25, 1893.

WITH reference to my despatch No. 31 of the 6th instant, I think it my duty to report to your Lordship a recent incident which, although trivial in itself, has a certain significance at the present moment.

It is customary at the Mahomedan feast of the Moulid in commemoration of the birth of the Prophet, for the Municipality of Tunis to invite the Bey to a reception attended by the Resident and other Notables of the French Administration. The feast occurred last week, when the usual invitations were issued to meet His Highness.

On the appointed evening, the French Chargé d'Affaires, the General commanding the Brigade of Occupation, and many others assembled at the Municipality; but the Bey at the last moment became suddenly indisposed, and returned to his Palace at Marsa instead of remaining for the night in Tunis, as had been his practice on former occasions. He also omitted to have himself represented at the reception by a member of his family or suite, and merely sent his excuses through an interpreter.

The local journals commented freely on the Bey's conduct, and one in particular published a scurrilous article headed "An insult to France."

According to the official organ of the Residency, the Bey is reported to have sent his eldest son on the following day to apologise for the affront; but I have learnt from a private source that Sid Mustapha called to assure the French Chargé d'Affaires that no offence was intended either to him or any other French official; but that his father was displeased with the Municipality for having refused, on the occasion of the inauguration of the port, to admit to the Beylical Tribune a distinguished officer of his suite who appeared in full uniform, but happened to be unprovided with a card of admittance. The Prince also complained of the abusive article which had appeared in one of the French local newspapers, and expressed a hope that it would not be passed over in silence by the authorities.

This incident, occurring at a moment of undoubted disaffection towards France, has made a considerable impression on all classes of the community.

The spirit of discontent which now pervades the whole Regency is, I believe, fostered in a great measure by Frenchmen acquainted with Arabic, who have become embittered, either by failure to obtain employment under the Administration, or from other causes. These men are in the habit of frequenting the native coffee-houses, where they have ample opportunities for disseminating seditious and revolutionary ideas amongst the populace.

I have, &c.
(Signed) H. DRUMMOND HAY.

No. 52.

Sir A. Nicolson to the Earl of Rosebery.—(Received October 13.)

(No. 455. Confidential.)

My Lord,

Thessalonica, September 25, 1893.

I WAS informed by the Italian Ambassador yesterday that at an interview he had recently had with Said Pasha, the latter had stated that the Ottoman Government had decided to proceed no further either with the negotiations or with the work of

delimitation on the Tripoli-Tunis frontier. Said Pasha said that, in the first place, the Ottoman Government considered that it was unwise to allow the continuance of a Boundary Commission of which a French officer was a member. The presence of a French officer was tantamount to the recognition by the Ottoman Government of the French Protectorate over Tunis. Secondly, Said Pasha considered that it was unadvisable to continue the work of delimitation, when the views of the two interested parties were so widely divergent, and there was so little prospect of a compromise being effected. Indeed, the claims of the Tunisians, or rather of their French protectors, seemed to increase rather than moderate as the negotiations proceeded. Moreover, the Sublime Porte had not found, on the part of the French Ambassador, any keen desire to push matters on, and Said Pasha appeared to be of opinion that the Ottoman Government could with safety abstain from moving further in the matter.

His Excellency further intimated that procrastination and delay would be to the advantage of the Ottoman Government, who might, in the meantime, take some measures for strengthening their hold on the districts, to which they considered themselves entitled.

I have, &c.
(Signed) A. NICOLSON.

No. 53.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received October 16.)

(No. 37. Confidential.)

My Lord,

Tunis, October 10, 1893.

I HAVE the honour to inform your Lordship that a project for increasing the French army of occupation in Tunisia is contemplated in military circles and will be probably adopted.

It is proposed to place the troops under the command of a General of Division with his head-quarters at Tunis.

A General of Brigade would then be stationed in the south of the Regency in command of the frontier garrisons.

With regard to the latter, I have learnt from a reliable source that since the suspension of the negotiations for the demarcation of the Tripolitan boundaries the French posts have been advanced to the contested territories at Illon and in proximity to the Macta.

I have, &c.
(Signed) H. DRUMMOND HAY.

No. 54.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received October 23.)

(No. 38.)

My Lord,

Tunis, October 17, 1893.

WITH reference to my despatch No. 36 of the 29th September, I have the honour to inform your Lordship that I was invited by General Le Clerc, commanding the Tunisian Brigade, to witness the manoeuvres as his guest, but was unable to spare the time for an absence of several days. When, however, the troops approached to a distance of about 40 miles from Tunis, on the 13th instant, for the review of the following day, I took advantage of the invitation, and rode out to the camp at Medjez-el-Bah.

The General, who was quartered at the residence of the District Commissioner, begged me to remain for the review and placed his tent at my disposal.

The troops were encamped on the western side of the village, on the banks of the River Medjerda, and were resting for the day. The whole camp was decorated with French and Russian flags, the tents of the 4th Tirailleurs being especially conspicuous with the mixed colours crossed over every tent. Considering that the greater portion of the regiment is composed of native Mussulmans, the Muscovite demonstration in their midst appeared altogether out of place.

There is a widespread belief now amongst the native classes of the population that a Franco-Russian alliance has been formed for the purpose of making further conquests

in North Africa, when Tripoli would fall to the share of Russia. It is strange how such reports, however unfounded they may be, are capable of penetrating far into the interior, and of taking firm root amongst the Arab tribes.

The majority of Frenchmen undoubtedly believe that the natives are deeply impressed by the recent Franco-Russian demonstrations, but they appear to have overlooked the fact that the Mussulmans throughout North Africa are always faithful in their adherence to the Caliph-el-Islam, their spiritual head, by whom they would be inevitably guided as to their attitude in the event of a conflagration in the Mediterranean.

I was informed that the manoeuvres had been most successful from every point of view; the native marching regiments had carried off the palm for endurance and activity; the mounted artillery had also distinguished itself over a rough and hilly country.

On visiting the ground selected for the final review of the troops, I observed that there was every preparation for further demonstrations. Russian flags predominated to such an extent in front of the tribune that the French colours were eclipsed. Under these circumstances, and as the review was to be followed by a luncheon attended exclusively by French officers and civilians, where my presence might have been embarrassing, I found a reasonable excuse to leave for Tunis before the review took place.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 55.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received October 30.)

(No. 39.)

My Lord,

Tunis, October 31, 1893.

WITH reference to my despatch No. 23 of the 3rd July, and to your Lordship's reply No. 8 of the 28th July, with instructions on the subject of the Mining Regulations instituted by a Beylical Decree of the 10th May last, I have the honour to inform your Lordship that, in view of the French Resident's prolonged absence during the summer months, I deemed it advisable to await his return to Tunis before opening the question.

I learnt in the meantime that M. Remy, the Austrian Consul-General, had made representations on the subject to the Tunisian Government shortly after the issue of the Decree.

I succeeded in obtaining the inclosed extract of M. Rouvier's reply, in which he informed M. Remy that the "Tunisian Civil and Criminal Code, promulgated in 1800, was cancelled by a Decree of the 22nd Kanda, 1280 (1863), whereby the pre-existing Laws and Regulations were re-established," and, after pointing out that "the Europeans in Tunis had raised objections to the Code, and had refused to submit to the jurisdiction of the new Tribunals," M. Rouvier added that, "according to the highest legal opinion of Mussulman lawyers belonging to the Malekite rite, the tenure of land does not carry with it a right to the mines contained in the soil."

In consequence of these statements, I referred to Sir Richard Wood's correspondence with the Foreign Office and with the Tunisian Government in 1864 regarding the incidents of the Tunisian revolution of that year, and the attempts of the French Agent, M. de Beauval, to compel the Bey to abrogate the Organic Laws of the Regency, and thus to bring about a disavowal of the most important stipulations of the Convention with Great Britain of 1863.

These demands were firmly opposed by the Bey, but on the occasion of the submission of the revolted tribes he went so far as to temporarily suspend the new Laws.

In his despatch No. 17 of the 27th April, 1864, Sir Richard Wood transmitted to Earl Russell a translation of the Bey's Edict on the subject, dated 15th Kanda, 1280. It is probable, as no mention was made of any other Beylical Decree relative to the Organic Laws, that this is the document referred to in M. Rouvier's note to the Austrian Consul-General.

There is only a slight discrepancy in the day of the month, and I have ascertained beyond doubt that the year should be 1864, and not 1863, as noted by M. Rouvier in parenthesis.

After informing Her Majesty's Government of the temporary suspension of the Organic Laws, Sir Richard Wood addressed a note to the Bey, of which a translation was inclosed in his despatch No. 22 of the 30th April, 1864, reminding His Highness of his "solemn pledges to maintain the Constitution, as well as the International Agreement with Great Britain."

Owing to the incessant pressure brought to bear upon the Bey by the French Agent, with the object of overthrowing the Constitution, Sir Richard addressed a further note to the Bey on the 2nd May, 1864, making "certain reserves" as to the temporary suspension of the "Aad-el-Aman," or Organic Laws, and pointing out that the privileges acquired by Great Britain in virtue of the Convention relative to real property were based upon the maintenance of those laws. He therefore urgently requested the Bey to state "whether the 'Aad-el-Aman' continued in force in all its integrity, and whether the suspension of the 'kawanin,' or enactments, that had emanated from it, was only a temporary measure."

In his despatch No. 89 of the 12th August, 1864, Sir Richard reported that he had addressed a fresh note to the Bey on the subject, and had received the latter's assurances, in reply, that the Organic Laws would continue to be respected and maintained in their full force and integrity.

Translations of these notes were transmitted to the Foreign Office in Sir Richard's despatch, but I regret to inform your Lordship that both the original and translation of the Bey's letter are missing. The archives have been carefully searched without success, and I have not found even a single Arabic letter in original relating to that period.

I happened lately to meet Sir Richard Wood, who was on a short visit to Tunis, and I took that opportunity of mentioning the matter to him. He assured me that no Beylical Decree had been issued during his time abrogating the Tunisian Constitution or any of its laws, but that they had been "temporarily suspended during the revolution." He had a perfect recollection of the missing letter from the Bey, and expressed his fears that it may have been unlawfully extracted from the archives, as the French were greatly exasperated at the time by their unsuccessful endeavours to overthrow the Organic Laws of the Regency, which are the foundation of the privileges acquired by British subjects under the Convention of 1863.

With regard to the opinion of the Muftis respecting the proprietorship of mines, as quoted by the French Resident, I beg to submit that, whatever may be their views on the subject, the Tunisian Government is bound, in the absence of any agreement to the contrary, to respect the privileges accorded to British subjects by Article XVII of the Convention of 1863, which stipulates that the right of British subjects to hold immovable property is derived from the enactments founded upon the Organic Laws, which were confirmed and maintained as a greater security for the due performance of the conditions of the Convention.

The return of M. Rouvier to Tunis is daily expected, but I shall refrain from addressing him on this subject until I am acquainted with the precise contents of the missing letter, of which a translation will be found in the archives of the Foreign Office.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 55.

M. Rouvier to M. Remy.

(Extrait.)

[Undated.]

... Que le Code Tunisien auquel vous vous référez promulgué en 1277 (1800) n'a reçu qu'un commencement d'exécution et a été rapporté par un Décret du 22 Kanda, 1280 (1863), qui remettait la Régence sous le régime des coutumes et des lois préexistantes. Les événements qu'ont motivé ce retrait ont eu assez de ralentissement pour n'avoir pas passé inaperçus, et les Européens paraissent d'autant moins fondés à invoquer le bénéfice de cette Loi de 1277, qu'au moment de sa promulgation ils ont formellement refusé de s'y soumettre et d'accepter les juridictions des Tribunaux qu'elle avait institués.

D'autre part, la loi Musulmane (rite Malekite) décide, d'après les plus savants juriconsultes de cette école, que la propriété du sol n'emporte pas la propriété des mines qu'il renferme.

No. 56.

Admiralty to Foreign Office.—(Received November 4.)

(Confidential.)

Sir,

Admiralty, November 3, 1893.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for Foreign Affairs, the decypher of a telegram, dated this day, from the Commander-in-chief in the Mediterranean, and to inquire what answer should be sent to Admiral Sir M. Culme-Seymour.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure in No. 56.

Admiral Sir M. Culme-Seymour to Admiralty.

(Telegraphic.)

Gibraltar, November 3, 1893.

IN view of the recent visit to Toulon, would there be at present any objection to my sending Her Majesty's ship "Hawke" on a cruise along north coast of Africa, visiting ports at which there are British Consular officers in Algeria and Tunis? They have not been visited since September 1892.

No. 57.

Foreign Office to Admiralty.

(Confidential.)

Sir,

Foreign Office, November 3, 1893.

IN reply to your Confidential letter of the 3rd instant, I am directed by the Earl of Rosebery to request that you will inform the Lords Commissioners of the Admiralty that his Lordship does not consider that there is any present necessity for the visit of one of Her Majesty's ships to the North African coast, so far as Consular interests are concerned.

His Lordship would suggest that Admiral Sir M. Culme-Seymour should be instructed not to send the "Hawke" at present.

I am, &c.

(Signed) P. CURRIE.

No. 58.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received November 10.)

(No. 41.)

My Lord,

Tunis, November 6, 1893.

SINCE the death of Cardinal Lavigerie, negotiations have been proceeding between France and the Vatican relative to the nomination of his successor to the See of Carthage.

It is now reported that an Agreement has been concluded whereby the ecclesiastical affairs of Tunis will be governed by the Propaganda, and subjected to the immediate jurisdiction of the Pope.

The Archbishop will in future be nominated by the French Government, subject to the approval of the Holy See.

45

The present choice has fallen on Mgr. Combes, Bishop of Constantine, who, it is stated, will be appointed Archbishop of Carthage and Primate of Africa. He will probably be elevated to the Cardinalate at the next Consistory.

I have, &c.

(Signed) R. DRUMMOND HAY.

No. 59.

Foreign Office to Consul-General Drummond Hay.

(No. 11.)

Sir,

Foreign Office, November 15, 1893.

I AM directed by the Earl of Rosebery to acknowledge the receipt of your despatch No. 39 of the 21st ultimo in regard to the Mining Regulations which were instituted in May last for the Regency of Tunis.

It would appear that both the original and translation of the letter addressed by the Bey to Mr. Wood on the 8th August, 1893, respecting Organic Laws, are missing from your archives, and I am therefore to inclose a copy of the latter, for your information and guidance.

I am, however, to point out that the loss of these papers indicates much laxity in the preservation of confidential papers in the Consulate-General.

His Lordship directs me, accordingly, to inclose a copy of a Circular despatch which was addressed to Her Majesty's Representatives abroad in December last, and to instruct you to furnish him with a statement showing what steps are taken by you with a view to preserve any such papers that may be in your possession, and who is responsible for their safe custody.

I am, &c.

(Signed) P. CURRIE.

No. 60.

Sir Clara Ford to the Earl of Rosebery.—(Received November 20.)

(No. 512.)

My Lord,

Constantinople, November 8, 1893.

I HAVE the honour to inclose herewith to your Lordship copy of a despatch which reached me on the 31st ultimo from Her Majesty's Consul-General at Tripoli, in Barbary, respecting French military movements on the disputed Tunis-Tripoli frontier.

In reply to further inquiries which I made of the Consul-General, I received a telegram from him yesterday, of which I beg to inclose a copy.

Count Collobiano, the Italian Ambassador here, informs me that he has received a telegram from the Italian Consul at Tripoli, in which the latter states that he has no knowledge of a movement of French troops to the frontier, but that he has heard it said that an augmentation of the French force is announced to take place this month, and that the number of the Turkish troops has been increased.

My Italian colleague has been good enough to show me a map he has showing the frontier in dispute, and I have had a copy taken of it, as I thought it would interest your Lordship to see it.

I have, &c.

(Signed) FRANCIS CLARE FORD.

Inclosure 1 in No. 60.

Consul-General Moore to Sir Clara Ford.

Sir,

Tripoli, October 30, 1893.

I HAVE the honour to state that it is reported on good authority that the French Brigade of Occupation in Tunisia is shortly to be raised to the strength of a division.

It is further reported, and confirmed by persons arriving from those parts, that the French have latterly pushed forward their advanced posts on the Tunis-Tripoli frontier into the heart of the territory in dispute between them and the Turks as to the boundary-line of that frontier.

In view of this movement, the Turks, on their side, have been quietly and gradually reinforcing their own outposts on the frontier by dispatching thither small detachments of troops from the Tripoli garrison.

In the meantime, the settlement of the question of the boundary is still pending at Constantinople since the Joint Franco-Tunisian-Turkish Boundary Commission sent in their Reports on the subject, as reported in my despatch of the 30th May last.

I have, &c.

(Signed) NOEL TEMPLE MOORE.

Inclosure 2 in No. 60.

Consul-General Moore to Sir Clare Ford.

(Telegraphic.)

Tripoli, November 6, 1893.

YOUR Excellency's telegram of 5th.

No further positive information has reached here or is obtainable by me.

Governor-General contradicts entry of French troops, but says French gendarmes have entered disputed territory, and are driving out inhabitants who do not acknowledge themselves Tunisian subjects, confiscating their cattle and giving their lands to Tunisian settlers. This is probably origin of previous report.

No. 61.

Consul-General Drummond-Hay to the Earl of Rosebery.—(Received November 21.)

(No. 43.)

My Lord,

Tunis, November 12, 1893.

A DANISH officer of my acquaintance, whom I had assisted with letters of introduction to visit the Berber Troglodyte tribes in the south of the Regency for ethnographical researches, informed me on his return to Tunis that two French officers, Lieutenant Dumas, of the 4th Spahis Regiment, and Lieutenant Casemajou, of the Engineers, attempted, in the month of February last, a ride from the military station of Tatahouln to Ghadames, accompanied only by one guide.

After undergoing many hardships they accomplished the journey, without opposition, arriving in safety at a Mzarbout in the neighbourhood of the city.

The news of the appearance of two Europeans, suspected to be French officers, spread rapidly amongst the natives, and on the following day, when the officers presented themselves at the gates of Ghadames, they were refused admittance, and summarily expelled from the district.

They had then to retreat by a circuitous route, fearing treachery on the part of the tribes who might be in league with the inhabitants of Ghadames.

During my journey in the south last winter I met Lieutenant Dumas, who was pointed out as a distinguished officer on account of his riding feats in North Africa. He then mentioned to me, in conversation, that it was his intention to travel into the interior of Algeria, visiting the Oases of Touggourt and Wad Souf.

The endeavours of the French in Tunis to establish direct relations with the people of Ghadames, and to gain over the Tuareg tribes by opening up markets on the frontier stations, have been hitherto fruitless, and their prospects of success appear to be very remote.

I have, &c.

(Signed) R. DRUMMOND-HAY.

No. 62.

The Earl of Rosebery to Sir Clare Ford.

(No. 91.)

(Telegraphic.) P.

Foreign Office, November 21, 1893.

TUNIS-TRIPOLI frontier: your despatch No. 512 of the 8th instant. Is anything about this known at the Porte?

No. 63.

Admiralty to Foreign Office.—(Received November 23.)

(Confidential.)

Sir,

Admiralty, November 21, 1893.

WITH reference to your letter of the 8th instant and to previous correspondence respecting the visit of a ship of war to Consular ports on the Algerian and Tunisian coasts, I am commanded by my Lords Commissioners of the Admiralty to transmit, for the perusal of the Secretary of State for Foreign Affairs, copy of a letter from the Commander-in-chief in the Mediterranean, dated the 15th instant, pointing out his reasons for being anxious that one of Her Majesty's ships should visit this coast, and requesting to be informed as soon as it is considered that such a visit may be made.

I am, &c.

(Signed) EVAN MACGREGOR.

Inclosure in No. 63.

Admiral Sir M. Culme-Seymour to Admiralty.

(Confidential.)

Sir,

"Sans Parail," at Malta, November 15, 1893.

WITH reference to your letter of the 9th instant and Foreign Office letter of the 8th idem, inclosed, I have the honour to represent that, although there is no present necessity for the Consular ports on the Algerian and Tunisian coasts to be visited, it is very important they should be visited by one of Her Majesty's ships at not too great intervals, as very important information is often obtained as to the progress of works, torpedo-boat stations, &c., which, it may be said, it is essential for us to know. The "Amphion" was the last ship that visited these ports, as long ago as September, 1892, and her report was of very great value.

If too long a time is allowed to elapse without a visit taking place, it attracts attention when a ship is sent. To visit the Consuls is a convenient excuse, and I should be glad to be informed as soon as it is thought I might send a ship, not necessarily a large one.

I have, &c.

(Signed) M. CULME-SEYMOUR.

No. 64.

Sir Clare Ford to the Earl of Rosebery.—(Received November 24.)

(No. 200.)

(Telegraphic.) P.

Constantinople, November 24, 1893, 7:30 p.m.

TRIPOLI-TUNIS Delimitation question.

I saw the Minister for Foreign Affairs yesterday on the subject of your Lordship's telegram No. 91. Said Pasha had no knowledge of any advance of French troops, and stated that the delimitation question remained in *status quo*. I learnt also from his Excellency that a forward movement in the direction of Bardji Biban had been made by the Turkish troops, whose numbers had been increased in that portion of the Ottoman Empire.

No. 65.

Foreign Office to Admiralty.

(Confidential.)

Sir,

Foreign Office, November 27, 1893.

IN reply to your letter, marked Confidential, of the 21st instant, I am directed by the Earl of Rosebery to state, for the information of the Lords Commissioners of the Admiralty, that he sees no objection to a visit of a British man-of-war to the coasts of Tunis and Algeria for the purposes specified, whenever it may be convenient for the Commander-in-chief in the Mediterranean to send one.

I am, &c.
(Signed) P. CURRIE.

No. 66.

Sir Clare Ford to the Earl of Rosebery.—(Received December 4.)

(No. 545.)

My Lord,

Constantinople, November 24, 1893.

WITH reference to your Lordship's telegram No. 91 of the 21st instant, I have the honour to inform your Lordship that the Foreign Minister stated to me yesterday that the Tunis-Tripoli Delimitation question was *in statu quo*; that a Commission had been appointed last spring to examine the question, and to propose a settlement on the following basis, viz., lands which had hitherto paid the tithe to the Tripoli authorities were to be considered as forming integral parts of that vilayet, and those lands which had hitherto paid the tithe to the Tunisian Government were to remain Tunisian.

The Commission, however, had failed to come to any definite arrangement, and had been broken up.

His Excellency went on to say that the Turkish Government had since that time increased its forces in the Vilayet of Tripoli, and that a forward movement had been made by the Turkish troops in the direction of the disputed frontier.

His Excellency concluded the conversation by saying that the policy to be pursued under present circumstances by the Government would be to preserve and protect what they considered to belong to them actually, and not to cede any territory; at the same time, there was no natural frontier of any kind, such as rivers, mountains, and valleys, which fact considerably added to the difficulties of the situation.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 67.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received December 8.)

(No. 44.)

My Lord,

Tunis, December 4, 1893.

I HAVE the honour to transmit to your Lordship herewith an extract from the "Journal Officiel Tunisien" of the 1st instant,* containing a Beylical Decree, dated the 1st November last, establishing a reduction in the taxes for transactions relating to real property in the Regency.

By this new Law the former "Karrouba" tax has been reduced from 8½ per cent. to 4 per cent.

I have, &c.
(Signed) R. DRUMMOND HAY.

* Not printed.

No. 68.

Consul-General Drummond Hay to the Earl of Rosebery.—(Received December 11.)

(No. 45.)

My Lord,

Tunis, December 6, 1893.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 11 of the 10th ultimo, transmitting to me, for my information and guidance, a copy of the translation of the missing letter addressed by the Bey to Mr. Wood, on the 8th August, 1864, respecting the Organic Laws, together with a copy of a Circular despatch which was addressed to Her Majesty's Representatives abroad in December last on the subject of printed Confidential papers, and instructing me to furnish your Lordship with a statement showing what steps are taken by me with a view to preserve any such papers that may be in my possession, and who is responsible for their custody.

I beg to state that the archives of this Consulate-General, which date from the 17th century, are preserved under lock and key in walnut-wood presses in a room specially set apart for the purpose.

The keys of those archives, and of a press containing the current Political and Confidential correspondence, have always been, and are still, in my sole custody, there being no person in the office to whom their guardianship could be safely intrusted, and I have no reason to believe that a single paper has fallen into improper hands since I assumed the charge of this post.

I have, &c.
(Signed) R. DRUMMOND HAY.